The VOTING DISTRICTS of the ROMAN REPUBLIC

The Thirty-five Urban and Rural Tribes

Lily Ross Taylor

With updated material by
Jerzy Linderski

Papers and Monographs of the American Academy in Rome

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VOLUME XXXIV

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LILY ROSS TAYLOR

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Lily Ross Taylor

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A NOTE ON THE UPDATED EDITION

The monograph *The Voting Districts of the Roman Republic* by Lily Ross Taylor was published in Rome in 1960 in the series Papers and Monographs of the American Academy in Rome. It soon achieved the status of a classic, assiduously read, consulted, and quoted. The volume has long been out of print, and the need for a new edition has been acutely felt. The book weathered the time very well, yet more than fifty years have elapsed since the original date, and scholarship on its subject has not stood still.

The goal of the postscript to this reprint, "Lily Ross Taylor and the Roman Tribes," is modest: to provide a guided tour of Taylor's book and of subsequent developments. The tour follows faithfully Taylor's arrangement and takes up her chapters one by one, always with supplemental bibliography. The readers may be advised to pay attention to two disparate but closely connected elements, narration and enumeration. Taylor's monograph is a web of description and argument accompanied by a plethora of frequently consulted lists of sources and of tribes, people, and places. Accordingly, there are two sides to the update.

Taylor's lists, dispersed throughout the book, are based on an assembly of a vast source material, primarily epigraphical. Here, the pool of evidence has increased dramatically. Furthermore, many texts she had used are now available in new and better editions, often with an extensive prosopographical commentary. Ultimately, most of her enumerations will have to undergo a thorough revision. This update offers a brief beginning, especially with respect to the lists of Italian communities with their tribes (159–64) and of the sources for the tribes of senators (167–83).

Taylor's reconstruction and presentation of the tribal system is a totally different matter. Here, the aim of the update is to review the engagement of subsequent scholarship with Taylor's arguments and theories; occasionally to attempt a further discussion of various particular issues; and above all, when there is new evidence, to supplement or correct her findings. Altogether the postscript assembles a fair amount of additional information, and to facilitate its use, it is equipped with its own index, mirroring the disposition of Taylor's register.

Maps form an integral part of the book. In the original edition, they were appended to several chapters as foldout pages. In this reprint, they are, for technical reasons, reproduced at the same scale but on multiple pages grouped together at the end of the volume.

Reproductions of the original maps are available on the publisher's website under the supplemental materials tab at https://www.press.umich.edu/1179542/voting_districts_of_the_roman_republic.

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THE VOTING DISTRICTS OF THE ROMAN REPUBLIC

The Thirty-five Urban and Rural Tribes

BY

LILY ROSS TAYLOR

Bryn Mawr College

AMERICAN ACADEMY IN ROME

1960

MEMORIAE

PLINII FRACCARO

PREFACE

This monograph has been undertaken to find an answer to a persistent question on voting districts, which presented itself during years of study of Roman politics in the time of Caesar and Cicero. This was a time when the districts or tribes of all Italy had been fixed, and when the rich sources give almost no information on their formation. They were curious districts, equal in value as voting units, but strikingly unequal in numbers of voters and, accordingly, in the value of the individual's vote. Moreover, with a few exceptions, the thirty-five tribes were not continuous geographical areas, but were broken up, some of them in the late republic into as many as five or six separated divisions in Italy. The tribes by that time had no administrative importance. They were merely census and voting districts. But since they voted each year, either as units or by divisions according to property qualifications, on the election of every magistrate and on the enactment of all the laws of Rome, they had direct power in politics which surpassed the federal powers of our fifty states. The question I have asked myself is how and why this curious system evolved.

The first part of the monograph deals with the distribution of the Italians in the tribes, with an attempt to follow chronologically the assignment of tribes from the fifth to the first century B.C. The second part is concerned with the distribution in the tribes of the men who were mainly responsible for the assignment, the senators of the republic. The sources and the modern discussions on the two subjects are treated in Chapters 3 and 12. The results are summarized in Chapters 11 and 14. I hope that these two chapters, with the introduction in Chapter 1 and perhaps Chapter 10 on the freedmen, will provide some of the general material on the tribes that a reader who has no time for the technicalities of the other chapters might find valuable. The concluding chapter, "Senators and Voting Units," is an attempt, with the introduction of some new interpretations, to show how the tribes were assigned and how they developed. The answer is, I realize, incomplete and sometimes speculative, but I present it in the hope that it will lead others to a surer answer to the question that prompted the investigation.

The basis of the investigation should have been a complete revision of Wilhelm Kubitschek's great work, *Imperium Romanum Tributim Discriptum*, which is still indispensable in spite of the masses of new evidence available since its publication in 1889. The revision

has been undertaken by Professor Giovanni Forni. His recent publication of the tribes of Carnuntum (*Carnuntum-Jahrbuch* 1956, published Vienna 1957, pp. 13–22) and of Dacia (*Omagiu lui Constantin Daicoviciu*, Academia Republicii Populare Romîne, 1960, 233-40) gives some idea of the task that confronts him, and of the magnificent manner in which he is meeting the challenge. I am publishing my investigation of the tribes in Italy with the frank recognition that he will have new evidence to correct some of my attributions. I am glad to acknowledge his generous and helpful interest in my work.

In presenting the detailed material I have tried, not always with success, to cut the documentation to a minimum. Citations of ancient sources have often been eliminated because of the availability of excellent works of reference. Of particular importance for this study are Julius Beloch's *Römische Geschichte* (1926), a mine of information on ancient Italian geography which the excellent index makes it easy to unearth, and T. R. S. Broughton's *Magistrates of the Roman Republic* (1951–2, *Supplement* 1960), where the convenient arrangement of the material under the years makes it possible to find the sources readily. From the vast modern bibliography that I have consulted I have cited only discussions that I have found directly useful, and I have undoubtedly overlooked much that is important.

Cross-references throughout the work refer not to pages, but to chapters and notes. The accompanying text is often more important than the note cited as a means of finding the passage. The list in Chapter 11 of Italian communities with their tribes and the list by tribes in Chapter 14 of senatorial *gentes* and communities are planned to accompany the text. The two maps of *Italia Tributim Discripta*, at the end of the volume, are based, with permission for which I express gratitude, on Plinio Fraccaro's map of *Italia ante Bellum Sociale* (De Agostini, Novara, 1935). There is also a map in Chapter 4, showing my suggestions for the position of the oldest rural tribes, and one in Chapter 5, showing the sites of the later rural tribes and of the separated divisions of rural tribes which I would date before 232 B.C. The maps were prepared by Professor Gian Carlo Susini, whose collaboration, particularly in problems connected with the maps of *Italia Tributim Discripta*, has been invaluable. The final copies of the maps are the work of Sig. Ivo Romagnoli.

It is impossible to record the full extent of my obligation to American and European scholars. First of all, I wish to acknowledge my indebtedness to the late Professor Tenney Frank, who, in directing my doctoral dissertation nearly half a century ago, led me to consider the curious tribal problem of Ostia, and encouraged me to undertake a study of the urban tribes. My investigations, though they reached no results that I was willing to publish, explain my continued interest in the tribes in politics. Next I would mention my

colleague of many years' standing at Bryn Mawr College, Professor T. R. S. Broughton, to whom I am under obligation not only for the indispensable aid of his *Magistrates*, but for repeated discussions, for suggestions on many points, and particularly for his careful reading and criticism of the manuscript and, in an editorial capacity, of the proof. The responsibility for the errors that remain in the text is, of course, mine. An English and a Canadian historian, Sir Ronald Syme and Professor E. T. Salmon, masters respectively of prosopography and of ancient Italian geography, have given me the benefit of criticism of certain chapters. Sir Ronald, in the course of brief visits to Rome and Bryn Mawr, spent about an hour and a half on the list of names in Chapter 13, but in that time he gave me so many suggestions that the list of "Missing Tribes" which I hope he will publish to accompany his "Missing Senators" and "Missing Persons" (*Historia* IV and V) will be shorter than it otherwise would have been. Professor Salmon read several chapters of the text in the summer of 1958, and led me to see the value of evidence that I had been inclined to disregard.

Not less fortunate has been my association in Rome and on two visits to Pavia with the group of scholars who have contributed most in recent years to the study of the tribes in politics. The leader, and the one-time teacher of the group, was the late Plinio Fraccaro, who died on November 1, 1959, after a life-time of service as Professor of Ancient History and as Rector of the University of Pavia. This book is inscribed to his memory in appreciation not only of his published work, now collected in his *Opuscula*, but also of the criticism, the encouragement, and the stimulus I owe to my friendship with a great scholar. Among his students whose papers and books I cite repeatedly are my friends Professor Forni, whose interest in the tribes goes back to his student days under Fraccaro, Professors Aurelio Bernardi and Gianfranco Tibiletti of Pavia, and Professor Emilio Gabba, now of Pisa, who, as holder of a Fulbright grant in 1954–55, was associated with me at the American Academy in Rome.

Extensive travel in Italy was undertaken for this study during my three years (1952–55) as Professor-in-Charge of the Classical School of the American Academy in Rome. I am grateful to the former Director, Dr. Laurance Page Roberts, for facilitating my investigations both during my tenure of the professorship and on my return in the summer of 1958. My colleague at the Academy, Professor Lawrence Richardson, now of Yale University, and my associates, Professor Axel Boethius, holder of the Jerome lectureship of the Academy in 1953–54, and Professor Ferdinando Castagnoli of the University of Rome, Lecturer on Roman Topography at the American Academy, have contributed to my understanding of the problems of my work. I have found Italian colleagues ready and generous in their help in

museums and excavation sites. I owe a special debt of gratitude to Professor Attilio Degrassi, who has repeatedly helped me to solve knotty problems, particularly in the field of Latin Epigraphy, where he is the recognized master. Other scholars whose aid on specific problems I have acknowledged in various chapters include Professors Andrew Alföldi, Sterling Dow, Louise Adams Holland, Antony Raubitschek, Doctors Umberto Ciotti, M. W. Fredericksen, Silvio Panciera, and M. Jean Pouilloux.

To the Library staffs of Bryn Mawr College and the American Academy in Rome I am grateful for constant, patient, and efficient iassistance over many years. I also express my thanks for the hospitalty I have enjoyed in the libraries of the German Archaeological Institute in Rome and of Harvard University.

Travel in Italy for purposes of this study was facilitated by the Achievement Award of the American Association of University Women, which I received in 1952, and by a grant in 1958 from the Penrose Fund of the American Philosophical Society, which also enabled me to secure the aid that was essential for the preparation of the maps. Two fellowships of the John Simon Guggenheim Memorial Foundation and a grant in aid of publication have made a great contribution to my investigations and to the presentation of the results. To the Secretary-General of the Foundation, Dr. Henry Allen Moe, I express my deep appreciation of his stimulating interest and also of the ideals of scholarship represented by the Foundation under his leadership.

In the preparation of the manuscript and in the reading of the proof I have had the benefit of the experience and the sharp eye of my friend Miss Alice Martin Hawkins. I have been fortunate in the two editors of the publications of the American Academy in Rome, Professor Broughton, on whom devolved the task of seeing the book through the press, and his predecessor, Professor Herbert Bloch, who accepted the maniscript for publication and made constructive suggestions on the arrangement of material.

LILY ROSS TAYLOR

Rome, July 15, 1960.

LIST OF MAPS

The Seventeen Oldest Rural Tribes

For explanation, see * p. 35

The Thirty-one Rural Tribes with Tribal Divisions before 232 B.C.

For explanation, see * p. 47

Italia Tributim Discripta, Sections 1 and 2

For explanation, see page facing Section 1

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INTRODUCTORY CHAPTERS

CHAPTER 1

THE CHARACTER OF THE THIRTY-FIVE TRIBES

The voting districts of the Roman Republic were local divisions of the citizens, known as tribes. There were four divisions in the city, called urban tribes, and, originally, fifteen or sixteen divisions of surrounding territory, called rural tribes; these were later increased to a total of thirty-one. All the *ager Romanus*, that is, all the territory of the Roman state not in public possession (*ager publicus*) was assigned to citizens in the rural tribes. As new territory was acquired, either the area of old tribes was extended to include it, or new tribes were instituted. After 241 B.C., when the last two rural tribes were created, new territory was assigned to one of the existing rural tribes either through extension of area or through incorporation of the territory in a tribe that might be far separated. By the end of the republic many of the tribes were made up of several separated districts.[1]

Every male citizen belonged to a tribe. Except for freedmen, tribal assignments were determined by the location of property holdings or, as the Roman *ager* extended, by place of residence. The tribe in a standard abbreviated form was an essential part of the citizen's official name. The tribes played an important part in Roman civil life. It was by tribes that the census was taken, and by tribes through the census that the citizen army was recruited and the citizen tax was collected. Originally the tribes were not voting districts, but they acquired that status in the first half-century of the republic, and that was their major function at the end of the republic.

The Origin of the Tribes

The origin of the thirty-five tribes is shrouded in obscurity, and has accordingly been a favorite subject of speculation among schol-

[1] For bibliography on tribes as geographical divisions, see Chap. 3. The best general discussions are in Mommsen's *RSt*, where, besides the major treatment, 3. 161–98, see, on tribes and names, 214 f.; on the *tributum*, 227–29; on tribes of freedmen, 434–44; on tribes and *domus*, 780–90; on tribes and military service 247 f.; on tribes in the assemblies, 240–419, *passim*; on the census, 2^3. 400–12. Mommsen's early study of the tribes, *Die röm. Tribus in administrativer Beziehung* (Altona 1844) is completely replaced by the discussion in the *Staatsrecht*.

ars, including a number in recent years.[2] The subject will be dealt with briefly here, but I should state at the outset that in general I accept the ancient tradition for the origin and development of Roman institutions, finding it more satisfactory than the opinions of scholars who, for instance, date the origin of the republic after 450, and the institution of the tribes at various periods of the fifth and even the fourth century.[3]

Tribus as a description of a people or a division of a people is a cognate of the Umbrian *trifu*, known from the Iguvine tablets. The earliest Roman tribes were three in number, but it is uncertain whether the word is related in origin to *tres*.[4] These early tribes were clans, known as the Tities, Ramnes, and Luceres, each divided into ten *curiae*. Traces of these tribes remained not only in religious institutions, but also in the six centuries of knights, two for each tribe, known as *sex suffragia*, and in the shadowy curiate assembly which, throughout the republic and into the empire, had control of certain matters related to the Roman *gentes*, and had to pass a validating law for the chief magistrates.

The institution of an elaborate new system of tribes on a topographical, instead of a clan, basis is attributed by the Romans to Servius Tullius, the king who, in the tradition, is given the leading role in the creation of republican institutions.[5] It is significant that the period

[2] For comment on recent discussions, see E.S. Staveley, *Historia* 5 (1956) 76. For an important discussion, with earlier bibliography, see Botsford, *RAss* 48–65.

[3] See Fraccaro's trenchant criticism of such redatings, *Opusc.* 1. 23.

[4] See Ernout-Meillet, *Dict. etymol. de la langue lat.* (Paris 1939) who questions the relation to *tres*, and Walde-Hofmann, *Lat. etymol. Wörterbuch*[3] (Heidelberg 1954). who accepts it. The word is probably related to *tribuere*, whose compounds *attribuere, contribuere, distribuere*, are often used with conscious emphasis on the connection with *tribus*. See *TLL*. For 'division', 'part', as the original meaning of tribe, see E. Bormann, *Eranos Vindobonensis* (Vienna 1893) 345–58; on the relation of the Roman tribes to the Umbrian, see E. Täubler, "Die umbrisch-sabellischen und die römischen Tribus," *Sitzb. Heidelberg. Akad. d. Wissensch.* 20 (1929–30), no. 4. He holds that *tribus* is related in origin to *tres*. See also for that view Ulrich von Lübtow, *Das röm. Volk* (Frankfurt 1955) 41 f.

[5] The establishment of the urban tribes by Servius is recorded by Livy 1. 43. 13; Dion. 4. 14; Festus 506 L; *de vir. ill.* 7. 7; unknown writer on the constitution of Servius, *Pap. Oxyr.* 17 (1927) no. 2088. (For further bibliography on this fragment, see my *ComCent* 341, n. 10.) On the distinction between the tribes dependent on clans and those dependent on places, see Dion. 4. 14. 2, where he speaks of τὰς τρεῖς φυλὰς τὰς γενικάς as contrasted with τὰς τέτταρας τὰς τοπικάς. Cf. also Laelius Felix in Gell. 15. 27. 4, with Mommsen's comments, *RSt* 3. 90, n. 5. See Hugh Last, *JRS* 35 (1945) 38–42.

to which he is usually assigned, the latter part of the sixth century, is the time when the Greek city states also were changing from the clan to the place as the unit for division of the citizens.[6] Servius is credited with the creation of four regions in the city and of four tribes corresponding to the regions, Suburana, Esquilina, Collina, and Palatina. The organization of the city of the four regions certainly goes back to the kingship, and there seems no reason to doubt that tribes and regions were always identical.[7]

These four tribes of the city, the only ones, according to Livy, that Servius formed when he instituted the census,[8] do not take account of the Roman territory which, by the end of the kingship, extended as far as the mouth of the Tiber and the Alban Mount. Yet the Romans were from the first an agricultural people, a people of small farmers with their holdings distributed throughout the *ager*. Livy, who does not describe the organization of the countryside, must have assumed that originally all the people were in the four urban tribes. For the treatment of the *ager* we must turn to Dionysius of Halicarnassus' detailed account of the provisions for the *ager* and its census. He probably depended on Varro's lost work on the tribes, though the authorities he quotes are Fabius, Vennonius, and Cato, each of whom described the organization of the *ager* into *pagi*, which Fabius called tribes.[9] In the view of Fabius and, as we know from

[6] On Greek parallels, see Eduard Meyer, *Gesch. des Altertums*[2] 3 (Stuttgart 1937), 285–88, and K. Latte s.v. "Phyle," *RE*. Cf. H. Hommel s.v. "Trittyes," esp. 353–58.

[7] Various modern scholars (see, for instance, De Sanctis, *StR* 2. 230) assume that, whereas the regions were instituted in the kingship, the four urban tribes were not established until 304. The basis of this view is Livy 9. 46. 14 on the censorship of Q. Fabius Maximus: Fabius . . . omnem forensem turbam excretam in quattuor tribus coniecit urbanasque eas appellavit. But this means simply that the term *tribus urbanae* came into use then. See Fraccaro, *TribAer* 160.

[8] See J. J. Nichols' illuminating interpretation of Livy 1. 43. 13, *AJP* 77 (1956) 225–56. See also my *ComCent* 338 f.

[9] Fabius is quoted by Dionysius 4. 15, a passage that probably depends on Varro's lost work on the Roman tribes (cf. Mommsen, *StR* 3. 169, n. 1). See the passage from Varro's *De vita populi Romani*, quoted by Nonius, p. 62 L: *et extra urbem in regiones XXVI agros viritim liberis attribuit*; Servius is surely the subject. Vennonius, whom Dionysius also quotes, said that Servius divided the *ager* into thirty-one parts, a foreshadowing of the total number of rural tribes of a later period. The view that the twenty-six divisions of the *ager* included the *septem pagi* taken away from the Romans by Lars Porsenna is revived by F. Cornelius, *Untersuch. zur fr. röm. Gesch.* (Munich 1940) 106 ff. But the Roman tradition was that the *septem pagi* (which must have included the later Romilia tribe) were regained by the Romans after the defeat of Porsenna at Aricia. See Dion. 5. 36. 4.

another source, of Varro, there were twenty-six *pagi* in the *ager*. Just how those *pagi* were formed into fifteen or sixteen rural tribes, we do not know, but it is interesting that one of the tribes, the Lemonia, took its name from a *pagus* (Festus 102 L). A baffling fragment of an unknown writer on the Servian constitution agrees with Fabius in attributing to Servius himself the creation of tribes out of *pagi*.[10]

Livy, who completely omits the establishment of the rural tribes, seems to have thought of them as a creation of the kingship, for he assumes their prior existence in records under the years 504 and 495, the first an account of the institution of the Claudia tribe for the clients of the founder of the Claudian house, the second an occasion for the laconic statement, *Romae tribus una et viginti factae*.[11] This apparently means that, with the creation of the Clustumina tribe out of the newly conquered land of Crustumeria, the total number of tribes, urban and rural, reached twenty-one.

There seems to have been some uncertainty about the way the oldest rural tribes were created, but no ancient writer assigns any of them except the Claudia to the early republic. They were evidently thought of as an institution of the kingship, and I suggest that they were attributed to a later census of Servius Tullius, who is credited with celebrating four times the *lustrum* which marked the completion of the census.[12] The names of the oldest rural tribes, taken presumably from names previously given to *pagi*, were *gens* names—a sign, perhaps, that the *gentes*, subordinated in the city tribes, succeeded in reasserting themselves. The names are not inconsistent with the theory that the tribes were established under the kingship. The fifteen original tribes (excluding the Claudia) bear the names of nine *gentes* known among the chief magistrates of the first century of the republic, and of six other *gentes* which are unknown. If the tribes had been created in the republic, we should expect a larger representation of names that were prominent at the time of their institution.[13]

[10] See the papyrus cited in n. 5 above. Whether the *pagi* referred to in the fragment were in the *ager* or in the city (where the Pagus Succusanus was apparently the nucleus of the Suburana tribe) is uncertain. The important topographical problems connected with the exclusion of the Capitol and the Aventine from the tribes are not considered in this study.

[11] 2. 21. 7. Most mss. read *una et triginta*, but there is excellent ms. authority for *viginti*, the reading of the *Periochae*. See Conway's Oxford text. The theories of v. Lübtow, *op. cit.* (in n. 4 above) 58 ff., are developed without knowledge of this evidence.

[12] Val. Max. 3. 4. 3 (of Servius), *quater lustrum condere contigit*. Tarquinius Superbus, according to Dion. 5. 20, did not take a census. See Mommsen, *RSt* 2^3. 334.

[13] The consular lists, which, except for the first year of the republic, are, in my view, a reliable source for republican history, show only four tribal

The institution of every new tribe created after 495 is faithfully recorded by Livy, our major, and often our only, source. The notices of new tribes accompany his account of Rome's growing territory. The names, with one exception, are taken not from *gentes*, but from features of the landscape. There were four new tribes in 387, and two each in the years 358, 332, 318, 299, and 241. In 241 the full number of thirty-five tribes was reached, covering, besides Veii's domain, most of greater Latium and parts of Campania, Sabine territory, and neighboring Adriatic regions. In spite of an unsuccessful effort to create new tribes after the Social War, the number of tribes never increased. Instead, Roman citizens who were settled on public land and newly enfranchised peoples were placed in extensions or new divisions of the existing rural tribes.

The Purpose of the Tribes

The new local tribes which replaced the old clan tribes were designed to serve as the basis of the census, also attributed to Servius Tullius. The census could only be made on a local examination of property and place of residence. For that purpose the city of Rome and the territory of Rome in private, not public, possession were assigned to the tribes, and, once assigned, seem, except for some slight adjustment of boundaries, not to have been changed from one tribe to another during the republic. But the tribe of an individual, which depended on his property holding or place of residence, could be changed with change of property and residence.

houses (for list of tribal *gentes*, see Chap. 4) from 509 to 495: Horatii (2 consulships), Menenii (1), Veturii (2), with the first Claudius, the reputed newcomer (Chap. 4, n. 1), consul in 495. In that period prominent non-tribal names are Larcii (3), Lucretii (2), Postumii (3), Valerii (4), and Verginii (2). Some of these *gentes* would surely have given their names to tribes instituted at that time. Of the other tribal names in the *Fasti*, Aemilii, Cornelii, and Fabii, who, with the Claudii and the non-tribal Manlii and Valerii, form the *gentes maiores*, appear first in 485–4, a Sergius perhaps in 471, certainly in the first college of *decemviri* in 451, a Romulius, the only one in the *Fasti*, in 455 (and again in the *decemviri* of 451). The Papirii do not appear until 444. They become prominent, as do the Sergii, in 444–367 when *tribuni militares consulari potestate*, who often replace the consuls, provide many more places in the *Fasti*. This is the period when the Cornelii, with five consulships and twenty-seven military tribunates, emerge as the foremost house of Rome. The six tribal names belonging to unknown *gentes*—Camilia, Galeria, Lemonia, Pollia, Pupinia, and Voltinia—are, I believe, taken from prominent property owners of the kingship whose houses did not survive the fall of the monarchy. Beloch's dating of the origin of the rural tribes in the second half of the fifth century (*RG* 270–73) has had wide acceptance. See, for instance, Ernst Meyer, *Röm. Staat und Staatsgedanke* (Zürich 1948) 53 ff.

The census divided the landholders into five classes, the lowest probably possessing only two *iugera* of land, and it grouped together non-landholding citizens as *capite censi* or *proletarii*. The landholders provided the foot soldiers for the Roman citizen army, their armor varying according to the five classes. They served, and by the early republic they voted, in the military centuriate assembly in centuries mixed from the various tribes. The relation of tribes to census comes out over and over again in the sources.[14] After the institution of the censorship, new tribes were regularly established in years when censors were in office, and the censors, who determined the registration of citizens, took action on the disputed question of the enrollment of the freedmen.

The tribes were administrative units for Roman territory, and the problem of administration was simple as long as the tribes were within walking distance of Rome. The great tasks of the tribes were the collection of the citizen tax, the *tributum*, and the raising of the levies for the legions. The word *tributum*, in the probably correct view of the ancients, was associated in origin with *tribus*.[15] The tax was collected on the basis of the property classification of the citizens. The men who collected it and paid the army, the *tribuni aerarii*, were apparently old officers of the tribes.[16] As for the levy of soldiers, Polybius gives an account of the methods by which the tribal levy was carried out. The account may have been taken from Fabius Pictor, but it would seem that, in theory at least, it still held when Polybius was writing in the middle of the second century. Each tribe presented its recruits on the Capitol, and the tribunes of the four legions enrolled in each year had choice by turns from four men selected from tribes

[14] See particularly Cicero, *Leg.* 3. 7: Censoris populi aevitates, suboles, familias pecuniasque censento . . . populique partis in tribus discribunto, exin pecunias, aevitatis, ordinis partiunto; equitum peditumque prolem describunto. For the tribe as the unit of the census, see *Lex repet.* (*CIL* 1^2 583) 77; the papyrus and the inscription of the triumvirate cited in Chap. 2, notes 12 and 13; Diod. 20. 36. 4 (cf. Chap. 10, n. 8); Livy 8. 17. 11 and 38. 36. 9; Dion. 4. 15. 6 and 5. 75. 3; Festus 212, 271 L; Pseudo-Acro on Cic. *Verr.* I. 23, p. 213 St. On the summons of the *curatores omnium tribuum* to the census, see Varro, *L. L.* 6. 86. For discussion of the evidence, see Mommsen, *RSt* $2.^3$ 400–412. See Chap. 2.

[15] See Livy 1. 43. 13; Varro, *L. L.* 5. 181. From the same root comes *tribunus*, and the *tribuni plebis*, if Diodorus 11. 67 means that they were originally four in number, may have been at first officers of the four urban tribes. See E. Meyer, *Kl. Schr.* 1 (Halle 1910) 353–73, esp. 368; against this view, see Momigliano, *Bull. Comm.* 59 (1931) 157–77. Other *tribuni*, the ancient *tribuni celerum* and the *tribuni militum*, probably go back to the old clan tribes.

[16] On the *tribuni aerarii*, see Mommsen, *RSt* 3. 189–91; Momigliano, *op. cit.* 173 f.; Lengle, s.v., *RE*. There is no specific statement that the *tribuni aerarii* were officers of the tribes, but Mommsen's view that they were is likely.

chosen successively by lot.[17] The legions were thus, in theory, like the centuries of footsoldiers in the centuriate assembly before 241, equally mixed from all the tribes.

The Institution of the Vote by Tribes

The tribes, though serving as the basis of the enrollment of the mixed tribal centuries of the centuriate assembly, probably were not voting units themselves until 471, when, through the activity of Volero Publilius, the election of tribunes of the plebs and plebeian aediles was assigned to the tribes.[18] The date cannot be far wrong, for the existence of a lesser assembly before 450 is implied by the reference to a *maximus comitiatus* in the Laws of the Twelve Tables. In the tribal assembly the total vote of each tribe, whatever the number of voters in it, was of equal value. To reach a decision, it was necessary to have an uneven number of tribes. There were twenty-one when the tribal assembly was created, and an uneven number was maintained by the institution of new tribes in groups of two or, in one case, four. The tribes became the elective body for all the lower magistrates of the state—quaestors and, after they were instituted, curule aediles, later military tribunes, and special commissioners of various types. The tribal assemblies also acquired certain judicial functions and an increasingly important role in legislation.[19] And finally after 241, the tribes obtained a direct association with the centuriate assembly, the body which elected the major magistrates, consuls, praetors, and censors. That development will be considered later.

The value placed on the vote is indicated by the institution, about the middle of the fourth century, of a type of second-class citizenship without tribe and without vote, the *civitas sine suffragio*. The Caerites are said to have been the first people to receive such a grant of citizenship.[20] After the great Latin War, and in the succeeding cen-

[17] Polyb. 6. 19–20; on levies by tribes, see also Livy 4. 46. 1; Val. Max. 6. 3. 4. According to Dion. 4. 19, levies were made by centuries, a statement that is in conflict with the levy by tribes in 4. 14–15. See my arguments for the tribes as the basis, *ComCent.* 340–42. See n. 29 below.

[18] Livy 2. 55–57; Dion. 9. 43–49; cf. Zon. 7. 17. The report of Dionysius (7. 59) that tribes voted on the condemnation of Coriolanus in 491 is generally rejected. In 7. 64. 6 he gives the number of tribes as twenty-one.

[19] On the development of the tribal assembly, see Botsford's discussion, *RAss* 262–316; for an important recent investigation of tribal legislation, see E. S. Staveley, *Athen.* 33 (1955) 1–31.

[20] See Gellius 16. 13. 7: primos autem municipes sine suffragii iure Caerites esse factos accepimus . . . Hinc tabulae Caerites appellatae . . . in quas censores referri iubebant, quos notae causa suffragiis privabant. See Chap. 7, with notes 6–8.

tury, that status was granted to Latins and other peoples south of Rome, and to Sabines. All these peoples had probably been raised to full citizenship in the tribes before the Social War.

Mommsen's View of Tribes and Tribules and of the Reforms of 312

In Mommsen's view the tribes originally were aggregations of land in the possession of Roman citizens, and the tribe belonged to the land, while the personal tribe was secondary.[21] It is true that the land remained in the same tribe, while the citizen changed his tribe with change of property holding or residence. But, as Fraccaro has shown, the emphasis in the sources is on the tribes of citizens, not land. It is for *cives*, not land, that new tribes were organized, and it is to peoples, not places, that a tribe was assigned. Citizenship in the Papiria was conferred in the fourth century not on Tusculum, but on the Tusculani, and it is inaccurate to speak, as, following modern precedents, I shall speak, of the tribe of Tusculum, instead of the tribe of the Tusculani.

The question is whether all the Tusculani were immediately placed in the Papiria tribe, as we know all freeborn citizens of allied communities enfranchised after the Social War were placed in the tribes assigned to their communities. Mommsen thought that at an earlier period only the landholders were in the local tribe, and that they alone, as landholders, were *tribules*, while the rest of the population, known as *aerarii*, were not in the tribes.[22] Conditions were altered, Mommsen thought, in the censorship of Appius Claudius in 312, who registered the lowly men in all the rural tribes. A lasting change made by Appius, according to Mommsen, was the inclusion in the census of movable property as well as land, with the consequent registration in the tribes of men who had no land.

Mommsen's view, which was widely accepted, has been disproved by Fraccaro, who showed the lack of evidence for the meaning Mommsen gave to *tribules* and *aerarii*, and for the assumption that there was no census of movable property before Appius.[23] All citizens, according to Fraccaro, were properly members of tribes from the beginning.

[21] See *RSt* 3. 161 f., 164. The only passage in ancient literature that can be cited in support of the view of Mommsen is Cic. *Flac.* 80: *in qua tribu denique ista praedia censuisti?* For interpretation, see Fraccaro, *TribAer* 155 f.

[22] See *RSt* 2³. 400–05. For an earlier statement that the Tusculani were from the first in the Papiria, the tribe of Tusculum, see *RF* 1. 151.

[23] See Fraccaro's epoch-making discussion, *TribAer*, and Last, *JRS* 25 (1945) 30–48. From the time the Caerites became *cives sine suffragio* (ca. 353) until 304, men under a penalty, according to Fraccaro, would have been removed from the tribes and put in the *tabulae Caeritum* (see n. 20 above); after that,

Rural versus Urban Tribes

Under the group voting system in the tribal assembly, in which the individual vote of the urban tribesmen domiciled in Rome counted far less than the vote of the men in the more distant rural tribes, the urban tribes must always have been inferior to the rural tribes. The urban tribes were made up of the industrial city population, many of them without property of any sort (*capite censi*), while the rural tribes were composed mainly of landholders (*assidui*). As the free population acquired land from Rome's steady conquests, the urban tribes seem to have been made up largely of immigrants and of freedmen. The change that the censor, Appius Claudius, made (a subject to be more fully discussed in Chapter 10) was, I believe, that henceforth all men could register wherever they acquired residence or property, and the result was that the *humiles*, mainly freedmen, secured wide registration in the rural tribes. The effect of that registration on the votes in the tribal assembly led to strong reaction, and the censors of 304 put the *humiles*, that is, the freedmen, in the four urban tribes. In spite of temporary success of some of the freedmen in securing a more favorable registration, the entire class of freedmen was in the urban tribes in the late republic. But there is no reason to believe that that was true of non-property holding freeborn men. Such men were probably registered long before the Social War in the tribe in which they resided.

The large number of freedmen in the urban tribes, the assignment of illegitimate sons to these tribes, and the custom that developed after 304 of placing men under a penalty in these tribes contributed to the inferiority of the urban tribes. These tribes came to be associated with men born in slavery and with men under a stigma.[24]

Within the four urban tribes there were also distinctions of rank. It has long been recognized that in the empire the Palatina and the Collina were superior to the other two urban tribes, but new evidence now makes it clear that the distinctions go back to the republic, and

such men were transferred to an urban tribe (*tribu movere*, cf. Livy 45, 15. 4); these men were often, at the same time, placed among the *aerarii*, men who seem to have been subjected to a special tax.

[24] Asconius, p. 52 C, speaks of Clodius' plan to enroll the freedmen *in rusticis quoque tribubus, quae propriae ingenuorum sunt*. Although conditions had changed in the late republic, the rural tribes were still thought of primarily as the tribes of landholders. Cf. Cic. *Leg. agr.* 2. 79: quae est ista superbia et contumelia ut populi pars amputetur, ordo tribuum neglegatur, ante rusticis detur ager, qui habent, quam urbanis quibus ista agri spes et iucunditas ostenditur ? See also Pliny, *N.H.* 18. 13: rusticae tribus laudatissimae eorum qui rura haberent, urbanae vero, in quas transferri ignominia est desidiae probro.

that Mommsen's view that the Suburana was at that time the most respectable of the urban tribes is incorrect.[25] The view is based on the fact that the Suburana headed the list of tribes in official documents. But, as we shall see in Chapter 6, that order was based on orientation, not on a ranking of the tribes. The Suburana and the Esquilina had long been inferior to the other two tribes. They may have been the tribes in which men under a penalty were usually placed.

The Tribe in the Citizen's Name

The official name of every citizen included the tribe, placed in a standard abbreviated form after the father's *praenomen* and before the *cognomen*, if the man had one. Thus, Cicero's name officially was M. Tullius M. f. Cor. Cicero. The abbreviations, the use of which was customary for the tribe as for the *praenomen*, were later in origin than the abbreviations for the *praenomina*.[26] That is shown by the form Gal. for the Galeria tribe, which is less archaic than the use of C. and Cn. for Gaius and Gnaeus. But the tribal abbreviations were old, and little affected by changes that took place in name forms. Thus, Vot. remained the abbreviation for the Voturia, though the *gentiles* became known as the Veturii, and Pob., or the more archaic Pop., was regularly used for the Poblilia, though the *gens* name was written Publilius. The form of the abbreviations, consisting, with some later variations, of the first three letters of the tribal name, is in conflict with the ordinary Roman abbreviation which terminated in the consonant or the two consonants of the next syllable. Thus, the abbreviation for the Claudia tribe is Cla., instead of Claud., and for the Pollia, Pol., instead of Poll.[27] It is likely that the abbreviations go back at least to the third century, though there are no inscriptional records of names with tribes until the second century. In the

[25] On the evidence of the *Tabula Hebana*, recording a law of 19 A.D. based on Augustan precedents, see my *UrbTr* and Chap. 6 below, with n. 8, Chap. 10 with notes 59–60. For the text of the document, see J. H. Oliver and R.E. Palmer, *AJP* 75 (1954) 225–49; for a comprehensive bibliography, see G. Tibiletti, s.v. "Lex" *DE* (published 1957) 740–48.

[26] See Mommsen, *RSt* 3. 173 f.; Kubitschek, s.v. "Tribus" *RE*, col. 2509–13, a valuable section of his incomplete posthumous article.

[27] The record of Cn. Pompeius Strabo's Consilium of 89 B.C. (see Chap. 12 with notes 23–24) uses consistently the first three letters of every tribe. Abbreviations like Quir. and Serg., which follow normal usage, occur occasionally in republican inscriptions (see index to CIL 1^2, p. 812) and frequently in the empire (see index to *ILS* 3. 1, pp. 591–600). There is no satisfactory explanation of Suc. as an abbreviation of Suburana or of Clu. or the full form Clustumina for the tribe formed out of the territory of Crustumeria.

army lists the name probably appeared regularly with the tribe which was the basis of the levy. The earliest name preserved with tribe is in an inscription which dates from 170 B.C. The inclusion of the tribe in the names of all witnesses in *senatus consulta* becomes customary after about 160 B.C.[28]

The Tribes in the Last Two Centuries of the Republic

As the tribes increased in extent, and as some of them came to be made up of discontinuous districts, often far distant from the capital, the old administrative functions of the tribes declined. The developing municipal organizations were taking the place of the tribes long before the Social War, when the old tribal units seem to have been dissolved. The collection of the *tributum* was abandoned after the end of the Macedonian War in 168. The depopulation of the original territory of the older rural tribes and the growth of the later tribes must have led to a gradual breakdown of the old system of tribal levy, and we hear, in the time of the Second Punic War, of recruiters sent to distant tribes, which must have been able to supply many more men than smaller tribes near the capital.[29] The system of the levy was radically changed with the establishment at the end of the second century of the professional army recruited from the proletariate.

The tribes are described in documents of the late second and the first century as units of the census (for which they were created) and of suffrage.[30] By that time the two tribal assemblies, the *concilium plebis* and the *comitia tributa*, had almost a monopoly in legislation. They also elected not only the plebeian officers but all the regular magistrates except consuls, praetors, and censors. In the election of the chief magistrates too, the men of the first class in each tribe, men

[28] See M'. Acilius M'. f. Vol. in Chap. 13, and the discussion of Senatus Consulta and Consilia in Chap. 12. Most of the second century names with tribes come from Greek inscriptions in which the names of the tribes are written in full. For a second century Latin inscription, see C. Rubrius C. f. Pob., Chap. 13.

[29] See Livy 23. 32. 19 for levies in Picenum; cf. Liebenam, s.v. "Dilectus," *RE*. When Polybius wrote in the mid-second century, it could no longer have been practicable to follow the course he describes (see n. 17 above) of calling all the recruits to the Capitol. Cf. Eduard Meyer, *Kl. Schr.* 2 (Halle 1924) 225 f. Later the tribes seem to have been called for a *tumultus*. See Marquardt, *Röm. Staatsv.* 2[2] (Leipzig 1884) 383, 386. (The article "Tumultus" of E. Sachers, *RE*, is inadequate.) Vitellius made a show of calling the tribes (Tac. *Hist.* 3. 58) for his levy against the Flavians.

[30] See *Lex repet. CIL* 1[2]. 583, section 77 (probably the Lex Sempronia of 123, cf. Tibiletti, *LR* 46 f.) and the two documents of the triumvirate cited in Chap. 2 with notes 12 and 13.

with property valued at 40,000 sesterces or more, had acquired an important role. By a reform of the centuriate assembly, probably of 241, certainly earlier than 218, two centuries from each of the thirty-five tribes were substituted for the old mixed tribal centuries.[31] These tribal units of the first class had 70 of the 193 votes in the assembly, and their power was increased by the fact that one of the centuries was chosen by lot to vote in advance as a *centuria praerogativa* and usually had decisive influence on the outcome of the election. The upper income group of each tribe was thus concerned directly in the election of the major magistrates. The voting centuries are often described as tribes.

In the late republic these men of the first class in the rural tribes came to Rome from all Italy for the election of consuls and praetors, normally held in July. There the urban plebs had little effect on the vote, though there is reason to believe that the rural tribesmen in the city were often the deciding element in the unscheduled vote on laws. But in general the influence of the urban plebs on voting has been overstressed. The custom of coming to Rome for the comitia goes back to a time when the rural tribesmen were within walking distance of Rome.[32] It continued as Roman territory expanded. The earliest known law curbing malpractice in elections (*ambitus*) was passed in 358 to stop the campaigning of plebeian candidates who were making visits to market-places and to centers where Roman citizens gathered (*conciliabula*) in the *ager*.[33] The great roads, the Appia begun in 312 and the Flaminia in 220, improved communications of distant tribes with Rome, and doubtless increased attendance at the comitia. But, of course, the closer the tribe to Rome, the easier the opportunity of bringing voters from it.

It was mainly for the organization of the voters that tribal administration served in the late republic, and the center of it was Rome, not the countryside. The tribes possessed common property and central headquarters in the capital. Some of the tribes had common land for burial of their members. There is a Roman republican inscription, of unknown origin, recording land of the Camilia tribe, and several imperial inscriptions show that the Pollia tribe had a common

[31] See my *ComCent* and Chap. 16 below.

[32] See Festus 508 L: Viatores appellantur qui magistratibus apparent, eo quia initio, omnium tribuum cum agri in propinquo erant urbis atque adsidue homines rusticabantur, crebrior opera eorum erat in via quam urbe, quod ex agris plerumque homines evocabantur a magistratibus.

[33] Livy 7. 15. 12–13: de ambitu ab C. Poetelio tribuno plebis auctoribus patribus tum primum ad populum latum est; eaque rogatione novorum maxime hominum ambitionem, qui nundinas et conciliabula obire soliti erant, compressam credebant.

burial place outside the Porta Salaria.[34] The headquarters in the city are mentioned repeatedly in records of candidacies. Through them men circulated (*circumire tribus*) to beg the members of the tribes for their votes.[35] We do not know where the headquarters were, but the location must have been central and convenient.[36]

The officials of the tribes at this time were the *curatores tribuum*, elected in the empire and presumably in the republic by each tribe.[37] There were other officers who had an important part in delivering the tribal vote, the *divisores*, whose duty was originally to distribute the gifts which it was legitimate for the wealthy members of the tribes to make to their fellow *tribules*.[38] In the late republic, when bribery was rampant, these *divisores*, gave out money provided by candidates for all the tribes. Efforts to curb such donations by more and more severe laws on *ambitus* were ineffective, and bribery of the masses lured to Rome by the emoluments of the ballot became a regular feature of the campaigns.

A related political function of the tribes in the late republic was the service of their members as jurors in the courts. The service is first attested for the civil court of the *centumviri*, which dealt with questions of inheritance and property. The name was derived from the fact that three jurors were elected from each of the thirty-five tribes.[39] The date of origin is uncertain, but it was surely later than 241, and perhaps belongs to the second century. In the public courts the first clear evidence for jurors chosen from the tribes is to be found in the

[34] *ILLRP* 488: iter privatum tribus Camilliae; for the Pollia, *CIL* 6. 33992–96; cf. 37846 a, 37945, 38125, 38460, including an inscription (33993) of a *curator* of the tribe. These inscriptions were found between the Via Salaria and the Via Po. See Chap. 4.

[35] For the evidence, see my *PP*, Chap. 3.

[36] If the Porticus Minucia, center of the distribution of free grain, which was given out by tribes in the empire, existed in the late republic, tribal headquarters may have been situated there. But the usual view that the Porticus was built in 110 B. C. has been questioned by F. Castagnoli, *Mem. Acad. Lincei*, ser. 8.1 (1948) 175–80. See M. E. Blake, *Roman Construction in Italy from Tiberius through the Flavians* (Washington 1959) 28.

[37] See Mommsen, *RSt* 3. 190–92.

[38] See Liebenam, s.v. *RE*.

[39] Festus (Paulus) 47 L: Centumviralia iudicia a centumviris sunt dicta. Nam cum essent Romae triginta et quinque tribus, quae et curiae sunt dictae, terni ex singulis tribubus sunt electi ad iudicandum, qui centumviri appellati sunt; et licet quinque amplius quam centum fuerint; tamen, quo facilius nominarentur, centumviri sunt dicti. It is not clear whether the tribes individually elected the jurors. One may question whether there was a full quota from the two inferior urban tribes, the Suburana and the Esquilina. On tribes in juries, see E. Gabba, *CESS*.

Lex Plautia judiciaria of 89, which provided for the election of fifteen jurors by each of the tribes. As we shall see in Chapter 15, Sulla seems to have made provisions for tribal distribution among the senators to whom he restored the the right of jury duty, and the Lex Aurelia of 70 included with senators and knights on the jury panel an equal number of *tribuni aerarii*, the old tribal officers who now formed a special class in the state.[40]

The Decline of the Political Power of the Tribes

The political power of the tribes declined sharply under Caesar's dictatorship, when laws were voted on in accordance with his will, and the election of major magistrates and of half the lower officers depended on his commendation of candidates. The *tribuni aerarii* were eliminated from the juries. Some traces of the old power of the tribes are to be detected in the period of revolution after Caesar's murder. Octavian in his struggle with Antony influenced the tribes by giving money directly to the *curatores tribuum*, to be distributed among members (Appian, B.C. 3. 23). Later, Octavian made it a practice to send funds to the tribes of the Julii and the Octavii, so that the tribesmen would expect nothing from candidates (Suet. *Aug.* 40. 2).

There is little sign of political influence of the tribes later. A recently discovered inscription proves that senators and knights, in the special assembly created by Augustus to vote for the *destinatio* of consuls and praetors, cast their votes by tribes, but the organization seems to have been perfunctory in character. For the census the tribes gave way in the municipalities to local enrollments, but in Rome the tribe probably continued to be the unit employed for the census, for the tribes were the basis of the distribution of free grain at the Porticus Minucia, and the preparation of the official list by tribes must have been related to the census. In spite of efforts under Caesar and Augustus to add the Julian name to one tribe, the names and the numbers of the tribes remained unaltered. In the first and into the second century, and longer for the upper classes, the tribe in the name gave a certain prestige, but it gradually disappeared, to be replaced sometimes for soldiers by a " pseudo-tribe, " formed from the *nomen* of an emperor.[41]

[40] See discussion in Chap. 15, with notes 31–34.

[41] See G. Forni's important article, " Il tramonto di un'istituzione, " *Studia Ghisleriana, Studi giuridici* (Pavia 1954) 89–124.

Chapter 2

THE ROLE OF PEOPLE AND CENSORS IN THE ASSIGNMENT OF TRIBES

A major object of my investigation of the distribution of tribes in Italy and of the tribes of Roman senators in the republic is to determine the methods by which tribes were assigned. That is a question to be considered in the final chapter, but it is important to discuss in advance the role of the popular assemblies and the censors in assigning tribes to peoples and individuals.

The award of citizenship, either with the vote, accompanied by the assignment to a tribe, or without the vote, was in the hands of the people in tribal or centuriate assembly. Citizenship could be taken away only by the centuriate assembly.[1] The records of laws on awards of citizenship are inadequate. The earliest attested, proposed by a praetor in 332, granted *civitas sine suffragio* to the Acerrani. A plebiscite of 188 raised three peoples who were *cives sine suffragio* to full citizenship, and specified the tribes in which they were to be enrolled. There was a series of laws on citizenship during and after the Social War.

What then of the creation of new tribes? The tribe was a division of the people, *pars populi*, and the sovereign people should have authorized a new division. That was true in the Social War, when, apparently under the Lex Julia of 90, provision was made for the creation of new tribes, which in the end were not established. But for the tribes actually instituted from 387 to 241 there is no evidence for laws. The notices, mainly from Livy, are brief, with statements like *duae tribus additae*. Under 332 Livy's notice, preceding the account of the law of that year already mentioned, might suggest that the censors created the tribes (8. 17. 11–12): Eodem anno census actus novique cives censi. Tribus propter eos additae Maecia et Scaptia; censores addiderunt Q. Publilius Philo Sp. Postumius. Romani facti Acerrani lege ab L. Papirio praetore lata, qua civitas sine suffragio data. I think it likely that there had been earlier legislation for the two new tribes, and that the role of the censors was simply to add the tribes, with names of members, to the registers. There is, as I shall try to show in Chapter 5, some reason to believe that there was legislation for the new tribes of 241 and perhaps of 358. Laws of this type would in general be passed in a censorial period.

[1] For the evidence, see Mommsen, *RSt* 3. 132 ff., 570 ff.; for removal of citizenship, 139 f., 328 f.

When a tribe had been established, censors could presumably increase its registration by adding to its rolls Roman citizens and enfranchised *peregrini* who dwelt in adjoining territory. Additions made by censors are mentioned by Festus in his note (212 L) on the institution of the Oufentina tribe *in agro Privernate*: postea deinde a censoribus alii quoque diversarum civitatum eidem tribui sunt adscripti. The extension of a tribe to include gatherings of Roman citizens in the neighborhood (*conciliabula civium Romanorum*) was probably within a censor's competence, but the addition of an entire people may have required a special law.

The only record we have on the subject concerns a tribunicial law of 188, a censorial year; under it the Formiani, the Fundani, and the Arpinates were raised from the status of *cives sine suffragio* to full citizenship; the first two peoples, the law provided, were to be placed in the Aemilia tribe; the Arpinates in the Cornelia (Livy 38. 36. 7–9): De Formianis Fundanisque municipibus et Arpinatibus C. Valerius Tappo tribunus plebis promulgavit ut iis suffragii latio—nam antea sine suffragio habuerant civitatem—esset. Huic rogationi quattuor tribuni plebis, quia non ex auctoritate senatus ferretur, cum intercederent, edocti populi esse non senatus ius suffragium, quibus velit, impertire, destiterunt incepto. Rogatio perlata est, ut in Aemilia tribu Formiani et Fundani, in Cornelia Arpinates ferrent; atque in his tribubus tum primum ex Valerio plebiscito censi sunt. Here is testimony to the right of the people to grant full citizenship and also to take action on the assignment of tribes.[2] It is reasonable to assume that there was a popular vote on the enfranchisement of other peoples who, in the third and second centuries, were raised from citizenship without the vote to full citizenship. Whether the tribe had to be specified in provisions for peoples added to an adjoining tribe is uncertain. In the law of 188 the tribes selected did not adjoin the enfranchised people. It is likely that the bills providing for the establishment of citizen colonies regularly specified the tribe of the colony.[3]

As for the awards of citizenship to individuals and the determination of their tribes, several records of laws bestowing citizenship on men and women who had deserved well of the state give no information about tribes.[4] But laws providing citizenship for certain groups had provisions that determined the tribe. Laws regulating criminal trials offered as a reward citizenship in the tribe of the accused for

[2] On this law, see Chap. 7, with n. 42; Chap. 16 with notes 25–28. On the relation of senate and people to questions of citizenship, see Livy 26. 33. 10–13, with Mommsen's comment, *RSt* 3. 328, n. 2.

[3] There is no evidence on this subject in any of the fragmentary colonial charters that we have. The tribes of colonies will be discussed in Chapter 16.

[4] See Mommsen, *RSt* 3. 133 f.

peregrini who had made significant contributions that led to convictions.[5] It was a common practice to include in colonial charters the provision that the founders of the colony could enroll in the new colony a certain number of *peregrini* whom they wished to enfranchise, and these men would, of course, have been placed in the tribe of the colony. Thus, Q. Fulvius Nobilior, one of the colonial commissioners for Pisaurum and Potentia in 184, inscribed the poet Ennius on the rolls of one of these colonies, probably Pisaurum in the Camilia.[6] By the Lex Appuleia of 100 Marius was granted the right to enroll three men in each of his colonies.[7] Caesar acquired a much more extensive right under the Lex Vatinia of 59, which had a provision for a citizen colony at Novum Comum. He was authorized to enroll in the colony five hundred Greeks, described by Strabo as non-resident.[8] These men would all have been in the Oufentina, the tribe of Novum Comum.

Legislation granting to commanders the right to enfranchise *virtutis causa* individual *peregrini* and members of auxiliary units is abundantly attested from the time of Marius on, but here the evidence on tribes is much less adequate.[9] The legality of the action was carefully guarded by the commander, who made the grant with the support of a Consilium of officers and men, mainly of senatorial and equestrian rank. The Lex Julia and the Lex Calpurnia of the period of the Social War both provided for such awards, as did the Lex Gellia Cornelia of 72, which authorized Pompey to bestow citizenship in the war against Sertorius. Under the Lex Julia of 90 Pompey's father, Cn. Pompeius Strabo, bestowed citizenship in 89 on a squadron of Spanish cavalry. The bronze in the Capitoline Museum recording the award

[5] *Lex repet.* (*CIL* 1^2 583) 76–77. See Mommsen, *Strafrecht* 504–11. Cf. Tibiletti, *LR* 46 ff. See Chap. 8, n. 20.

[6] Cic. *Brut.* 79 (cf. Livy 39. 44. 10 on the two colonies). The report that Accius, whose *domus* may have been Pisaurum, was an original colonist there probably represents a confusion with Ennius. See Schanz-Hosius, *Röm. Literaturgesch.* 1^4 (Munich 1927) 132. That is the reason for thinking that Ennius was enrolled at Pisaurum, rather than Potentia. See H. B. Mattingly *CQ* 7 (1957) 160.

[7] Cic. *Balb.* 48. The citizenship of the Spoletinus T. Matrinius was called in question because the colonies provided for in the Lex Appuleia were not established. I question whether such awards reached the large numbers suggested by E. Badian, *FC* 214.

[8] Strabo 5. 213 C; cf. Suet. *Iul.* 28. 3. For a man who received citizenship there, see Cic. *Fam.* 13. 35: *C. Avianus Philoxenus... quem Caesar meo beneficio in Novocomensis rettulit.* I have not discussed the case of the poet Archias, who claimed his citizenship as an honorary citizen of Heraclea, which was enfranchised (tribe unknown) after the Social War. See also the similar case of L. Manlius of Catina, Cic. *Fam.* 13. 30.

[9] For the evidence, see Mommsen, *RSt* 3. 135.

is a rich source for the tribes of old citizens, for the fifty-nine members of the Consilium were listed with their tribes,[10] but there is no tribe assigned to new citizens, even to the three who appear not with Spanish, but with new Roman *nomina*.

This document is a forerunner of the military *diplomata* of the empire which, beginning with the time of Claudius, record award of citizenship by emperors not to special groups *virtutis causa*, but to all members of auxiliary units entitled to honorable dismissal. These *diplomata* with names of men receiving citizenship have been found throughout the empire; they were copies of originals posted in Rome.[11] They come from a period when the tribe had lost its old meaning, and there is not a word in the *diplomata* about the tribes of the new citizens. But two documents emanating from Octavian during the triumvirate mention tribes. One of them, preserved in a Latin papyrus, is an edict of Octavian giving citizenship to veterans, their parents, their wives, and their children, with a provision that seems to mean that they could be registered in any tribe: Item in [*quavi*]s tribu s(*upra*) s(*criptis*) suffragium [*fe*]rendi c[*e*]nsendi[*que*] potestas esto et si a[*b*]sentes voluerint [*c*]enseri detur.[12] The other document, from a Greek inscription from Rhosos in Cilicia, specifies the tribe. It is a letter of Octavian providing for citizenship under an otherwise unknown Lex Munatia Aemilia (a consular law of 42 B.C.) for Seleucus of Rhosos, who had apparently served as a *nauarchos*.[13] Seleucus' name, it is stated, is—evidently with other names—on a stele at Rome on the Capitoline. Seleucus, his parents, his wife, and his children are granted citizenship and immunity, with enrollment in the Cornelia tribe in which they are to vote and have their census taken, the latter, if necessary, in absence. There seems to be a provision that the family of Seleucus may also be enrolled in any citizen community,[14] and that would authorize citizenship in another tribe.

Another case to be considered is that of L. Cornelius Balbus of Gades in Spain, for whom we have rich evidence in the oration of 56 B.C. in which Cicero defended Balbus' citizenship. Balbus received the award under the Lex Gellia Cornelia of 72 which authorized

[10] See Chap. 12, with notes 23–24.

[11] See Nesselhauf's publication, *CIL* 16 (1936) with supplement (1955). In an appendix to the volume, p. 145, the document of Cn. Pompeius Strabo and the edict and letter of Octavian mentioned below are published.

[12] *BGU* 2. 628; *FIRA* 1. no. 56 (p. 315) with bibliography.

[13] First published by H. Seyrig, P. Roussel, *Syria* 15 (1934) 33 ff.; see *FIRA*, no. 55 (p. 308) with bibliography.

[14] See Arangio-Ruis' restoration of a passage in II. 2 of the inscription, quoted by Riccobono, *FIRA* 1, p. 311, n. 3: [ἢ κα]ί τινος πόλεως ἢ ἀποικ]ίας Ἰταλίας εἶναι θέλωσιν, [. . . οὕτ]ως τειμᾶ[σθαι.

Pompey to make grants of citizenship.[15] Balbus took his *nomen* from a Cornelius Lentulus, almost certainly L. Cornelius Lentulus Crus, consul 49, who was perhaps a young *contubernalis* of Pompey in the war against Sertorius. Did Balbus take his tribe as well as his *nomen* from this Lentulus? Balbus' original tribe is unknown. He changed it later to the Clustumina as a reward for his part in a prosecution. Men did not usually make such transfers unless the new tribe was a better one, and that suggests that Balbus was originally in an inferior tribe, that is, an urban tribe. Now it is possible that Lentulus Crus, a patrician Cornelius, like certain branches of the patrician Aemilii and Claudii, may have been enrolled in the Palatina. A Cornelius in the Palatina, Cn. Cornelius Cn. f. Pal., is listed without *cognomen* in the Consilium of Pompeius Strabo, and Gnaeus is a favorite *praenomen* of the Cornelii Lentuli.[16]

It is noteworthy that *peregrini* awarded citizenship by emperors frequently appear in the tribe of the emperor whose *nomen* they took.[17] Julii, Claudii, and Flavii in citizen communities are often in the local tribes, but in Rome and in non-citizen communities the Julii are often in the Fabia, the tribe of the Julii Caesares, and the Claudii and Flavii are in the Quirina, the tribe of the Claudian and Flavian emperors.[18] The emperors were probably following republican precedents

[15] Cic. *Balb.* 19: Nascetur, iudices, causa Corneli ex ea lege quam L. Gellius Cn. Cornelius ex senatus sententia tulerunt; qua lege videmus *rite* esse sanctum ut cives Romani sint ii quos Cn. Pompeius de consili sententia singillatim civitate donaverit. Since Balbus is listed as L. f. (see Chap. 13), it is evident that his father was granted citizenship at the same time. That was true of Octavian's special grants, but not of the auxiliaries whose enfranchisement was recorded in the military *diplomata*. There the grants include wives and children, but not parents.

[16] See these names in Chap. 13.

[17] For evidence on *peregrini* in the empire in the tribes of senators whose *nomen* they took, see Syme's material on Ummidii in the Teretina, and his suggestion that the Veranii were in the Clustumina, *CQ.* 7 (1957) 123–25. Cf. also the excellent note on tribes and place of origin, E.A. Birley, *Roman Britain and the Roman Army* (Kendal 1953) 161 f.

[18] The evidence available in 1880 was collected by Kubitschek, *Orig* 116–25; he cites 28 Julii in the Fabia; 55 Claudii, and 27 Flavii in the Quirina; 3 Ulpii in the Papiria; and 5 Aelii in the Sergia; in each case the tribe is that of the emperor or emperors whose *nomen* the man took. The number of examples diminishes as the use of the personal tribe declines. There is specific evidence for the award of citizenship for several Claudii. I give a number of references to Julii in the Fabia, many, but not all, of them cited by Kubitschek, often from older collections: for the East, *CIL* 3. 305, 4320; *IGRRP* 3. 172, 514, 554; 4. 1393, 1471; for Africa, *CIL* 8. 1224, 1788, 4827, 8884; from the three Gauls, *CIL* 13. 3636, 5093; inscriptions of Julius Classicianus cited by Birley, *op. cit.* (n. 17) 162; from Italian towns not in the Fabia, *CIL* 9.

in enrolling *peregrini* in their tribes. The Mytilenean Theophanes, enfranchised by Pompey as Cn. Pompeius Theophanes, was probably in Pompey's tribe, the Clustumina, and would have been enrolled on the lists of Pompey's *domus*, if Pompey was of municipal origin. And Balbus, if he was in the Palatina, would have been placed on the lists of Rome.

To come back to the man of Rhosos in the Cornelia, he and perhaps a series of other men whose names were on the stele on the Capitol may have been put on the lists of a municipality, or more probably a colony,[19] in that tribe.[20] Here the provision for the census in absence is of interest. By this time the census was taken locally in colonies and municipalities, and the new citizens were evidently excused from going to their new *domus* for the census. Like Ennius and the five hundred Greeks on the rolls of Novum Comum, they were frankly non-residents.

4965; 10. 1878, 2569, 5251, 6153, 6318, *ILS* 2703; from Rome, 6. 2744, 16139, 20024, 20102, 32264; also *AJA* 63 (1959) 384. Some of these men are sons of freedmen, who, it appears, sometimes took the tribe of the man who freed the father (see Chap. 10, with n. 45). But others are clearly descended from *peregrini*; the most interesting are two descendants of royal lines, C. Julius C. f. Fab. Artavasdes (*CIL* 6. 32264 = *ILS* 844), grandson of Ariobarzanes, probably the man whom Augustus placed on the throne of Media; and C. Julius C. f. Fab. Antiochus Philopappus, from the royal line of Commagene, whose inscription comes from his great monument in Athens (*CIL* 3. 552 = *ILS* 845). It is also to be noted that members of the *vigiles* who give Rome as their *domus* (they are not Julii) are regularly in the Fabia. Mommsen (*RSt* 3. 790, cf. 789, n. 4, 424, 517) suggests that they took their tribe from Tiberius because, in his reign, the Lex Visellia of 24 A.D. provided for full citizenship for men who had served in the *vigiles*.

[19] How old the registration of names of *peregrini* on municipal or colonial lists was we do not know. There must have been a time when the tribe, not the municipality, was the unit of registration. The colony, rather than the municipality, seems to have been the favorite place for registration of *peregrini*. Note the unsuccessful claim of the Latins, who had inscribed themselves in citizen colonies, to secure the citizenship which was open to them at Rome, Livy 34. 42. 5 (194 B.C.).

[20] The only colony of Caesar or Augustus that I find in the Cornelia is Colonia Iulia Equestris on the Lake of Geneva (see E. Linckenheld, s.v. "Noviodunum" (5) *RE*). It was probably a colony of Caesar, but Octavian may have completed the colonization, and enrolled on the lists men who had deserved well of him. In *CIL* 6 I note three possible *peregrini* in the Cornelia, a Julius (8025), a Calpurnius (9546), and a Valerius (39007). But all the newly enfranchised do not appear clearly as *peregrini*; that is true of Balbus, and would have been true of Seleucus of Rhosos under his Roman name, for since their parents were enfranchised with them, their names would have appeared with a Roman *praenomen* for the father. Thus, Balbus is L. f.

To return to the role of the censors, it would be their duty to register resident or property holding citizens in the new tribes which had, I believe, been created by the people, and to enroll individually the men from newly enfranchised peoples when the tribes were assigned by the Roman assemblies.[21] That is in accord with Cicero's statement on the scope of the census (*Arch.* 11): census non ius civitatis confirmat ac tantummodo indicat eum qui sit census ita se tum gessisse, pro cive. Even where there were general awards to entire peoples, men had to present themselves individually for the census which determined the classes of citizens.

The censors probably had a good deal of influence on the legislation on citizenship that was brought up in the period of the censorship. They also had wide latitude in the registration of men whose citizenship was established. They could presumably add citizens to adjoining tribes without special action by the people. Their power over registration is shown by the way some censors moved freedmen—who already had citizenship—back and forth from urban to rural tribes. Perhaps until the second century there was no legislation on registration of freedmen, but after that there were laws and unsuccessful bills to provide for their distribution in the tribes. The subject will be discussed in Chapter 10. The censors also transferred men under a penalty from rural to urban tribes. They would have recognized in their lists the change of a man like Balbus to a tribe which he secured as a reward. They must have changed men's tribes freely with change of residence, and have transferred residents of Rome from one rural tribe to another in which they acquired property.[22] Some of the censors seem to have acted in a high-handed manner, and Scipio Aemilianus in an oration protested against the registrations made by some of his predecessors.[23]

The greatest power of the censors was exercised in the registration of the classes and particularly in their acceptance of the property

[21] Thus, as Mommsen points out (*RSt* 3. 132, n. 4), the enrollment of entire peoples in the census was similar to that of men who received their awards individually.

[22] On changes of tribe among republican senators, see Chap. 15, with notes 6–15. I give a few examples of change of tribe from imperial inscriptions, but much more could be added. (Dessau's index, *ILS* 3. 1. 591 f., is useful.) The tribe of new and old *domus* are both given in *ILS* 2460, 6902, 6933, and *Ann. Epigr.* 1911, p. 213, no. 13. Only one tribe with statement on change of residence is found in *CIL* 11. 5118, 5278. Veterans from other regions regularly took the tribe of the colony in which they were settled. See for instance the inscriptions of Beneventum and Ateste and, from Antium, *CIL* 10. 6674 (cf. Appendix below.) For an imperial senator who was successively in the Palatina and the Galeria, see *CIL* 5. 4347 (*ILS* 1149) and 6. 1475.

[23] See Chap. 15, with n. 9.

qualifications for the first class in the tribes, the group which had a heavily weighted vote in the election of the chief magistrates of Rome. This power of the censors was especially significant after the third century reform of the centuriate assembly when the first class of each tribe voted as a unit, and the tribes were a factor in the choice of consuls and praetors as well as of the minor officials and in the legislation voted on in the tribal assembly. The effect of this change in the late republic will be discussed in Chapter 9.

My conclusion then is that legislation probably authorized the creation of new tribes and, at least when new citizens were not added to adjoining tribes, specified the old tribes in which newly enfranchised people were to be enrolled; that legislation provided for the tribes of certain *peregrini* who received a tribe as a reward in a prosecution or were put on the rolls of a citizen colony; but that, in general, *peregrini* were placed in the tribe of the Roman whose *nomen* they took; that censors had the power to change the tribes of old citizens, but in enrolling new citizens were restricted by laws, in the formulation of which they may well have had a share. [24]

[24] On the role of the censors in registering voters, see Tibiletti, *Comitia*, which reached me after this chapter was in press. For the censors' enrollment of Latins and Italians resident in Rome, see his discussion, 115 ff. Evidence is lacking for their tribes.

PART I

THE GEOGRAPHICAL DISTRIBUTION OF THE TRIBES IN ITALY

Chapter 3

THE PROBLEM, THE SOURCES, AND MODERN DISCUSSIONS

Totam Italiam fac ut in animo ac memoria tributim discriptam comprensamque habeas ne quod municipium, coloniam, praefecturam, locum denique Italiae, ne quem esse patiare in quo non habeas firmamenti quod satis esse possit. This statement of Quintus Cicero to his brother, in a document that professes to serve as a handbook for Marcus in his campaign for the consulship for 63, emphasizes the great political importance of the tribes and also the difficulty of the problem they presented.[1] The candidate had to know his Italy; he had to be aware instantly when he met a man from Spoletium that the town was in the Horatia. He needed also to know that Falerii and Venusia were in the same tribe, and he had to know who were the influential men in each community. The tribe was as important in the vote as the state is in American elections, but it was much harder to become acquainted with the thirty-five tribes than it is with the fifty states of the Union, for, by Cicero's day, the majority of the tribes were not continuous geographical units; instead, they were divided up in various parts of Italy, and the politician must have had to do hard work before *Italia tributim discripta* was firmly in his memory.

The make-up of the voters in one tribe, the Sergia, is described by Cicero in commenting on the failure of a man to carry the tribe of which he was a member: sciasne te severissimorum hominum Sabinorum, fortissimorum virorum Marsorum et Paelignorum, tribulium tuorum, iudicio notatum nec post Romam conditam praeter te tribulem quemquam tribum Sergiam perdidisse.[2] In this passage on the voters in the Sergia, one of the original rural tribes, there is not a word about the old Sergia outside the boundaries of Rome, an area that was long since depopulated, and that seems to have been dissolved as an administrative unit after the Social War. Instead, the voters Cicero mentions come from regions whose population was enrolled in the Sergia much later, from the Sabine Cures and Trebula Mutuesca, enfranchised in the Sergia long before the Social War, and from the Marsi and Paeligni,

[1] Q. Cicero, *De petitione consulatus* 30. I am not convinced by the arguments of M.I. Henderson (*JRS* 40 [1950] 8–21) against the genuineness of this extraordinary document.

[2] Cic. *Vatin.* 36. See *Schol. Bob.* 151 Stangl. The comment concerns Vatinius' failure to carry the Sergia in his contest for the curule aedileship in 56.

allied peoples who had revolted in 90 B.C., and had received citizenship in the Sergia after the war was over.

My subject in Part I is the distribution of the tribes in Italy from the earliest times until the years 49 B.C., when the people of Italy south of the Alps were enfranchised. After that, the entire peninsula was enrolled in the thirty-one rural tribes; after that, too, with the end of free voting, the tribes lost the political importance which is my major interest in this investigation.

My problem is, first of all, to determine the geographical location of the original tribal areas. The sites of the seventeen oldest rural tribes and of the fourteen instituted from 387 to 241 are the subjects of Chapters 4 and 5. The establishment of the original location of all the later tribes and of a number of the earlier tribes provides the basis in Chapter 6 for an investigation of the official order of the tribes and its meaning. For the period before the Social War the extensions and the formation of new divisions of the thirty-one rural tribes will be dealt with in Chapter 7. Here I depend constantly on the significant work of Beloch, to be discussed below. Chapters 8 and 9 will treat respectively the additions to the tribes made after the Social War and the development of tribal distribution from Sulla to Caesar. Chapter 10 will deal with a question that constantly recurred from 312 to the end of the republic, the registration of the freedmen who were confined most of the time to the four urban tribes; the population of the city of Rome will also be considered briefly. The new results of the investigation are summarized in Chapter 11; with the summary is included a list of communities in Italy with their tribes and with indications of the date of enfranchisement.

The evidence for the tribes of the peoples of Italy is full of lacunae. Literary sources are scant. Important ancient works on the subject have been lost. Varro's *Tribuum liber* seems to have dealt extensively with origins, and Dionysius of Halicarnassus probably drew heavily on Varro in his detailed and sometimes confusing discussion of the Servian tribes (4. 14–15). The occasional comments on the tribes in the *De Lingua Latina* support the view that Varro, here as elsewhere, was primarily an antiquarian.[3] Perhaps more serious is the loss of the satire in which Lucilius, to quote Horace (*Ser.* 2. 1. 69):

primores populi arripuit populumque tributim.

Persius also refers to this satire in his *secuit Lucilius urbem* (1. 115) and, according to the scholiast, the poet attacked all the thirty-five tribes:

[3] Varro's *tribuum liber* is referred to only by Varro himself, *L.L.* 5. 56. It may have been a book of the *Antiquitates*. On the contents, see Bormann, *Eranos Vindobonensis* (Vienna 1893), 345 ff. On the relation of Dionysius' account to Varro, see Mommsen, *RSt* 3. 169, with n. 1.

urbem autem ideo dixit 'secuit' quia tribus omnes XXXV laceravit ex quibus urbs tota constat. There are fragments of the satire dealing with two tribes, the Papiria of Tusculum and the Oufentina, which is described as coming (*venit*) from Privernum.[4] The Papiria is named as the first tribe (*prima Papiria Tusculidarum*), and that suggests that Lucilius is describing a vote on a law in which the Papiria voted first. If we had the satire, we should know a great deal about the geographical distribution of tribesmen shortly before the Social War.

The notes on the tribes in Festus' compendium of the *de verborum significatu* of the Augustan Verrius Flaccus give us some of the antiquarian lore we have lost in Varro. But these notes also are incomplete. Only fourteen of the thirty-one rural tribes are treated in the surviving text, sometimes only in Paulus' laconic summaries of Festus, or in badly damaged passages of the text of Festus.

The major literary source for the institution of the tribes is Livy who, unlike Diodorus, understood their importance. It is from Livy's notices of the institution of new tribes from 495 to 241 that we can be sure of the names of the fifteen oldest tribes, which are nowhere listed. But Livy gives scant details on the attribution of new citizen communities to tribes already in existence.[5] The other geographical source of some importance is Cicero in the passage from the *In Vatinium* quoted above, and in the *Pro Plancio*, where we learn much of the Teretina and neighboring tribes. There are also stray statements of value in the letters, but Cicero often assumes in his correspondents a knowledge of the tribes of places and people that we lack.[6]

But the chief source for the geographical distribution of the tribes is inscriptions, usually of imperial date, which give names with tribes. They are found all over Italy, and, especially if they give the names of magistrates with tribes, they usually establish the tribe of the town in whose territory they are found. They come also from Rome and from all over the empire in records of individuals, primarily soldiers, who give their names with tribe and *domus* or place of origin. There are lacunae in the evidence, particularly in depopulated Southern Italy, a region that has produced few local inscriptions and names of

[4] See Lucilius 1259–63 M, with Cichorius' brilliant reconstruction, *UL* 335–38. Cichorius suggested that the satire dealt with the bill for the command against Aristonicus in 131, when Lucilius' patron, Scipio Aemilianus, suffered a defeat.

[5] But see for Tusculum 8. 37. 8–12; for Formiae, Fundi, and Arpinum 38. 36. 7–9.

[6] See Q. Cornificius, Chap. 13, for evidence from Cicero that leads to the establishment of the tribe of Rhegium in Calabria.

soldiers. Another region where the inscriptions fail us is the immediate neighborhood of Rome, where large estates, worked by slave labor, reduced the local population. Thus, we do not know the tribes of Gabii, Labici, Ardea, Fregenae, Alsium, or Pyrgi; we are dependent on a single inscription for each of the tribes of Fidenae, Nomentum, and Caere. But in general we know the tribe of practically every Italian community which remained important in the empire.

On the distribution of tribes in Italy the pioneer work was done by H. Grotefend whose *Imperium Romanum Tributim Descriptum* (Hanover 1863) was a remarkable achievement at a time when the inscriptional evidence had not yet been collected. His work was replaced by the two investigations of Wilhelm Kubitschek, which, though antiquated, are still the standard studies of the tribes. The first, *De Romanarum tribuum origine ac propagatione*, published in 1881, when few volumes of the *Corpus* of Latin Inscriptions had appeared, is still useful on the origin and history of the tribes. For the tribal assignments of communities throughout the Roman world it was replaced by Kubitschek's later work, *Imperium Romanum Tributim Discriptum*, which came out in 1889. The evidence for the tribe of every Italian community is also summarized by Mommsen, Bormann, and Dessau in Volumes 5, 9, 10, 11, and 14 of the *Corpus* of Latin Inscriptions.[7] The section of Volume 11 on Umbria by Bormann, published in 1901, contains material not available to Kubitschek, and is therefore, for the tribes of Umbria, to be preferred to his work. The new inscriptions which have come to light since then are not collected anywhere, but the most important material available before 1926 is cited in

[7] *CIL* 5, Cisalpine Gaul, edited by Mommsen, pt. 1 (1872), pt. 2 (1877), with E. Pais' *Supplementum Italicum, Atti R. Accad. d. Linc.* ser. 4, v. 5 (1884–88); *CIL* 9, Apulia, Samnium, Sabine and neighboring territory, Picenum, edited by Mommsen (1883), with suppl. *Ephem. Epig.* 8 (1899) 1–69; *CIL* 10, Greater Latium, Campania, Lucania, Bruttii, edited by Mommsen (1883), with suppl. *Ephem. Epig.* 8. 70–221; *CIL* 11, pt. 1, Aemilia, Etruria (1888); pt. 2, Umbria (1901), both edited by Bormann; pt. 2. 2 (1926), edited by Dessau and Gaheis, with important supplementary material for Aemilia, Etruria, and Umbria; no index, except for *nomina, cognomina,* and *imperatores*; *CIL* 14, Old Latium, edited by Dessau (1887), with supplements, *Ephem. Epig.* 7 (1893) 355–84 and 10 (1913) 70–221. For additional inscriptions of Ostia, see Wickert, *Supplementum Ostiense, CIL* 14 (1930) and H. Bloch, *Sylloge* (of important inscriptions of Ostia found 1930–1939), *NSc* 1953, 239–306; for Portus, see H. Thylander, *Inscriptions du port d'Ostie, Acta Inst. Rom. Regni Sueciae* 4. 1 (Lund 1952). The following issues of the *Inscriptiones Italiae* are also useful: 4. 1, Tibur (2nd ed. 1952); 7. 1, Pisae (1953); 9. 1, Augusta Bag. and Pollentia (1948); 11. 2, Eporedia (1931). Vol. 10. 1–4, Istria, does not concern republican Italy.

Beloch's *Römische Geschichte*.[8] The scope of Professor Giovanni Forni's prospective revision of Kubitschek's second investigation has been discussed in the Preface.

Except in the work of Beloch, there have been few geographical studies of tribes in recent years. The articles in the *Realencyclopädie* are disappointing. Kubitschek's general article "Tribus," published in 1937, had been left incomplete at his death, and adds little to his earlier work. As for the tribes individually, the first eight in the alphabetical list were thoroughly discussed in the *Realencyclopädie* by Kubitschek and Wissowa, but since then, with the exception of articles on the Oufentina, the Palatina, and the Romilia, the tribes have either been treated summarily, often incidentally, in a geographical article, or have been completely omitted. Among the omissions in recent volumes is the all-important Pollia, while the Velina, on which significant new evidence has come to light, is mentioned only incidentally in the article "Velinus (lacus)." The fourteen articles on the tribes (alphabetically through the Lemonia) in De Ruggiero's *Dizionario Epigrafico* are, in general, more detailed. They are the work of Kubitschek and De Ruggiero, the last one revised by Garzetti.[9]

The dates when the various Italian peoples acquired Roman citizenship are of major importance for this investigation, and here, though Mommsen must be used constantly,[10] Beloch has made the greatest contribution. His *Römische Geschichte* strengthened and revised the results of his youthful book, *Der italische Bund*, published in 1880.[11] With Beloch's text the indispensable aid is Plinio Fraccaro's map of *Italia ante Bellum Sociale*, published by De Agostini, Novara, 1935. In general, though not in all details, it incorporates Beloch's results. On the inclusion of territory in the Roman *ager* before the Social War,

[8] The inscriptions with tribes found from 1893 to 1906 are collected in A. Stein's valuable report on Roman Epigraphy, *Bursians Jahresbericht* 144 (1909), with index of tribes on p. 409. After that time the *Notizie degli Scavi* is the best source for Italian inscriptions; scattered material from various Italian publications is available in the *Année Epigraphique*, but the volumes are inadequately indexed and are not arranged for the convenience of the reader. See Beloch's comment, *RG* 489.

[9] The earlier geographical articles on Italian towns in *RE* (through most of F, by Huelsen) are perfunctory and superficial; the later ones by Philipp are excellent, but do not always give the evidence for tribes. The articles in the *Enciclopedia Italiana* are often valuable, with much material on recent discoveries. Nissen's *Italische Landeskunde*, though antiquated in many respects, remains indispensable.

[10] For the discussion of tribes in *RSt*, see Chap. I, n. 1. Many special studies by Mommsen will be cited below.

[11] Mommsen continuously underestimated the contributions of Beloch. See Momigliano, *Gnomon*, 30 (1958) 1.

I have usually, but not always, accepted the view of Beloch and Fraccaro.

The investigation has led me into questions of Roman agrarian policy and into the thorny problem of the origin and development of the municipality. I have cited only a small portion of the available bibliography, much, but not all, of which I have examined. On the municipality I owe much to A.N. Sherwin-White's *Roman Citizenship* (Oxford 1939), a book of remarkable clarity and acumen, but curious in what seems to be a determined disregard of the tribes.[12]

It should be emphasized that my study of the tribes of Italian towns and of the date of their incorporation in Roman territory is not exhaustive. I have examined the evidence for every town and have searched through the journals for new inscriptions, but I have undoubtedly missed material, and I have not had access to unpublished inscriptions in Italian museums. Nor have I considered the new evidence for the boundaries of Italian communities provided by centuriation, on which recent air photographs have thrown great light. My study should perhaps have been delayed until the completion of Professor Forni's new version of the *Imperium Romanum Tributim Discriptum*. Unless I have come to new conclusions, I have not repeated the documentation on tribes, admirably presented by Kubitschek for most of Italy, and for Umbria by Bormann in *CIL* 11. Many towns for whose tribes I have found no good evidence are passed over in silence.

In spite of lacunae in the evidence both for tribes and for dates of enfranchisement of communities, the main lines of *Italia tributim discripta*, as they were drawn in the republic, will, I hope, come out clearly. The maps, the work of Professor Susini, and the list in Chapter 11 of communities with tribes, arranged, like Kubitschek's list, according to the Augustan regions of Italy, should clarify the discussion. The maps in Chapters 4 and 5 present my suggestions for the original locations of the thirty-one rural tribes. The second of these maps also illustrates my discussion of the official order of the tribes (Chapter 6) and of the basis of the earliest divisions of rural tribes (Chapter 7). The maps at the end of the volume showing the tribes of communities of north and south Italy depend in general for areas of the *ager Romanus*, of Latin colonies, and of allied territory on Fraccaro's map of *Italia ante Bellum Sociale*.[13] If the tribes assigned

[12] See Momigliano's review *JRS* 31 (1941) 158–65. There is much more attention to tribes in Hans Rudolph's *Stadt und Staat im römischen Italien*, Leipzig 1935 (abbreviated *SSRI*), a stimulating book whose results must often be questioned.

[13] The only map of the tribal divisions of Italy that I know is to be found in the anthropological and linguistic investigation of Francesco L. Pullè,

to communities differ from those in Kubitschek's list, the evidence is cited both in my list in Chapter 11 and under the names of communities in the Index.

Italia, Gente e Favelle, 2 vols. with atlas, Turin, 1927. See *Atlas,* Tav. 18–19 and 2. 126–28. The author clearly realizes that the tribal divisions often do not correspond to linguistic and ethnic groups. Unfortunately Pullè based his tribal assignments not on Kubitschek but on Grotefend and on Beloch's early work, *Der italische Bund.* But I have found the map useful (for a copy of which I am indebted to Professor Fraccaro). Pullè has indicated in more or less arbitrary fashion the boundaries of the various tribal divisions. It is to be hoped that the studies of centuriation, now being actively pursued, will in the future make possible a more accurate map of tribal divisions.

Chapter 4.

THE LOCATION OF THE SEVENTEEN OLDEST RURAL TRIBES

(with map *)

The sixteen old rural tribes with *gens* names were, in alphabetical order: *Aemilia*, Camilia, *Claudia*, *Cornelia*, *Fabia*, Galeria, *Horatia*, Lemonia, *Menenia*, *Papiria*, Pollia, Pupinia, *Romilia*, *Sergia*, Voltinia, and *Voturia*. Ten of these *gentes*, all italicized in the list, are represented among the chief magistrates of the first century of the republic. Four of them, the Aemilia, the Claudia, the Cornelia, and the Fabia are among the six great houses known as the *gentes maiores*. Only for the Claudia is there a specific record of the time of institution. During a Sabine war of 504 B.C. Attius Clausus, later known as Appius Claudius, reputed founder of the Claudian house, is said to have left his Sabine home and to have settled in Rome with a band of five thousand men.[1] According to Livy and Dionysius, Appius received

* The map of the seventeen oldest rural tribes facing this page follows Beloch in indicating (by a line of dashes) the boundaries of the *ager Romanus* at the end of the kingship. See n. 8 below for variation from Beloch in the vicinity of Nomentum. The dotted line gives the five-mile boundary of earlier regal Rome. The tribes which appear without queries were in the general region indicated, though the relative position of the Galeria and the Romilia on the right bank of the Tiber is not definitely established. The The major roads leading from Rome are marked on the map. Since they represent old lines of communication, they are indicated as boundaries of certain tribes, but there is no definite evidence for boundaries.

[1] Livy 2. 16. 4–5. Namque Attius Clausus cui postea Appio Claudio fuit Romae nomen . . . ab Inregillo magna clientium comitatus manu Romam transfugit. His civitas data agerque trans Anienem; vetus Claudia tribus—additis postea novis tribulibus—qui ex eo venirent agro appellati. Appius inter patres lectus . . . Dionysius, 5. 40, after stating that the Sabine, whom he calls T. Claudius, came to Rome with five thousand kinsmen, friends, and clients, goes on (§ 5): ἡ βουλὴ καὶ ὁ δῆμος εἵς τε τοὺς πατρικίους αὐτὸν ἐνέγραψε καὶ τῆς πόλεως μοῖραν εἴασεν ὅσην ἐβούλετο λαβεῖν εἰς κατασκευὴν οἰκιῶν χώραν τ' αὐτῷ προσέθεκεν ἐκ τῆς δημοσίας τὴν μεταξὺ Φιδήνης καὶ Πικετίας, ὡς ἔχοι διανεῖμαι κλήρους ἅπασι τοῖς περὶ αὐτόν, ἀφ' ὧν καὶ φυλή τις ἐγένετο σὺν χρόνῳ Κλαυδία καλουμένη καὶ μέχρις ἐμοῦ διέμεινε τὸ αὐτὸ φυλάττουσα ὄνομα. For the unknown Πικετίας of the text, A, Bormann's emendation Φικολνέας (*Alllatinische Chorographie* [Halle 1852] 251, n. 508) is surely correct. Suetonius, *Tib.* 1, does not mention the *tribus*: Patricia gens Claudia . . . orta est ex Regillis, oppido Sabinorum. Inde Romam recens conditam cum magna clientium manu com-

patrician status (with land for himself in the city, Dionysius adds) and land outside the city for his clients. This land became the Claudia tribus, though Dionysius says that the tribe was not organized until later (σὺν χρόνῳ). The consulship of Appius Claudius in 495, under which Livy has the notice, *Romae tribus una et viginti factae*,[2] was perhaps the date of the organization both of the Claudia and of the Clustumina, the seventeenth rural tribe and the first with a geographical name. The date of the organization of the Claudia was probably preserved in the records, and the suggestion that this date led to the tradition that Appius had come to Rome during the Sabine War of 504 is very likely.[3] There were other stories that he came in the kingship, a more probable time for the creation of new patricians.

There is not a word in the sources about the organization of the Clustumina, but Crustumeria, from which the name is derived, was, according to Livy, captured in 499,[4] a year in which he also records

migravit auctore Tito Tatio consorte Romuli, vel, quod magis constat, Atta Claudio gentis principe, post reges exactos sexto fere anno; atque in patricias cooptata agrum insuper trans Anienem clientibus locumque sibi ad sepulturam sub Capitolio accepit. In Vergil, *Aen.* 7. 708, *Claudia nunc a quo diffunditur et tribus et gens*, the monosyllabic ending suggests an echo of Ennius. Servius comments on line 706: nam Clausus, Sabinorum dux, post exactos reges, *ut quidam dicunt*, cum quinque milibus clientum et amicorum Romam venit, et susceptus habitandam partem urbis accepit; ex quo Claudia et tribus est et familia nominata. Appian, *Reg.* 12, places the arrival of the first Claudius under one of the Tarquins, and mentions the band of 5000 and the new Claudia tribe. Plutarch, *Pobl.* 21, under the fourth consulship of Valerius Publicola 504, does not speak of the tribe but records assignment of land on the Anio περὶ τὸν Ἀνίωνα ποταμόν, two *plethra*, that is two *iugera* (see Chap. 5, n. 3), for each family of Appius' five thousand followers and an allotment of 25 *plethra* for Appius himself. Plutarch alone indicates that Appius received land in the region assigned to his followers.

[2] 2. 21. 7. On the text, see Chap 1, n. 11.

[3] See Wissowa, s.v. "Claudia" (3), *RE* 3, col. 2650. Wissowa's statement is more definite than Mommsen's, which is cited there; cf. *RF* 1. 293, *RSt* 3. 26. n. 1.

[4] Paulus (48 L) has the note on the tribe: *Crustumina tribus a Tuscorum urbe Crustumeria dicta est.* Under 499 Livy (2. 19. 2) has the statement: *his consulibus Fidenae obsessae, Crustumeria capta.* Dionysius, who places the incorporation of Crustumeria under Tarquinius Priscus (3. 49. 6, see Sherwin-White, *RomCit* 18 f.) does not mention Crustumeria here, but he dates under 504 (5. 43) a capture of Fidenae, and says that the people were left in possession of the city, but gave up part of their land. He alone states (see note 1) that the Claudia was placed on public land. Beloch, *RG* 264 ff., 270 f., who dated the institution of rural and urban tribes after 450, held that the Clustumina, because of its position, could not have been organized until after Fidenae fell, and he therefore placed the organization of this tribe

a siege of Fidenae. Crustumeria was on the Tiber, north of Fidenae, in a region later known as the *ager Crustuminus*.[5] The Claudia lay north of the Anio, between Fidenae and Ficulea, and it may have included land of Fidenae given up during the siege of 499. The two tribes immediately adjoined each other, and their simultaneous organization is likely. The Claudian consul of the year 495 would explain the creation of a new tribe with his name.[6] When Fidenae was captured and destroyed in 426, its territory was apparently added to the Claudia tribe, for a dictator of Fidenae in that tribe occurs in one of the few inscriptional records of the town.[7]

The other fifteen tribes with *gens* names go back, I have sugested in Chapter 1, to the end of the kingship; the Romans may have attributed them to one of the later censuses of Servius Tullius. In these fifteen tribes were presumably inscribed the landholders, many of them possessors of very small allotments, who occupied the *ager Romanus*, that is all the territory not reserved as *ager publicus*. The Roman *ager* at the end of the kingship extended on the left bank of the Tiber about twenty kilometers to the mouth of the river, and a slightly less distance toward the Alban Hills, where it included the site of Alba Longa and the Alban Mount. Elsewhere it was restricted in extent by the territory of Labici, Praeneste, Pedum, Gabii, Tibur, Nomentum, and Fidenae; on the right bank of the Tiber it was

at the end of the fifth century. But see the defense of the date 495 for the Clustumina (not the Claudia) by A. Bernardi, *Athen* 30 (1952) 20, n. 2. Since the Claudia seems to have bordered on the Clustumina, the latter tribe was not, as Bernardi assumes, a pocket in foreign territory. Fidenae was a pocket in Roman territory.

[5] Nissen, *ItLdk* 2. 2. 561. From Pliny, *N. H.* 3. 52 and 53 (for the latter passage, see n. 17 below), it would appear that the *ager Crustuminus* was on both sides of the river (see also Paulus, quoted n. 4 above), but Pliny's inclusion of the *ager* in Regio 7 in the former passage is perhaps mistaken (*in eadem parte oppidorum veterum nomina retinent agri Crustuminus, Caletranus*). Perhaps there was a community *ager Crustuminus*, formed after the Social War to incorporate the territory of the old Clustumina. See discussion below, with n. 17.

[6] The institution of these new tribes, like that of later tribes, should have accompanied a census which Dionysius (6. 96. 4) places under 493, not 495. See Mommsen, *RSt* 2^3. 334, n. 3. Dionysius' statement ἐν τῷ χρόνῳ τούτῳ is vague, and, though he says the census was taken by the consuls, he may not have given the exact year of the census, which is not mentioned by Livy.

[7] See *CIL* 1^2. 1709, discovered near Aecae in Apulia, first published in 1903, and therefore not available to Kubitschek. It gives the name of T. Terentius T. f. Cla. Taravos, dictator Fidenis quater. Cf. Beloch, *RG* 301 f., who thought that the Clustumina was also a possibility for the tribe of Fidenae.

hemmed in by the widely extended domain of powerful Veii. The fifteen tribes must have been approximately equal in extent and in the manpower they could supply for Rome's citizen army. According to Beloch's calculations, there would have been about fifty square kilometers available for each tribe.[8] With the irregularity of the *ager*, it is unlikely that all the tribes touched the boundaries of the city.

It is important for the subsequent development, of the tribes to determine where the various old tribes were located.[9] For three of them besides the Claudia, namely, the Romilia, the Lemonia, and the Pupinia, there is specific information in ancient sources. The Romilia lay on the right bank of the Tiber, on land said to have been taken from the Veientes by Romulus.[10] The exact spot is not specified. The right bank of the Tiber was known as the *ager Vaticanus*, and the cognomen Vaticanus given to T. Romulius, consul 455, suggests an association of the house with the region.[11] The Lemonia lay outside the Porta Capena on the Via Latina.[12] The Pupinia was in the vicinity of Gabii, perhaps between Gabii and Rome, a distance of twelve Roman miles. On the march toward Rome in 211 Hannibal camped *in Pupinia*, eight Roman miles from the city, whose boundaries the tribe perhaps did not reach. Pupinia survived as a place name for a proverbially unfruitful district.[13]

[8] For the Roman *ager* at various periods, see Beloch, *RG* 620 f.; for the early *ager*, 169–76; 200–15, with Map. I. Except in the neighborhood of Nomentum (see below), the map in this chapter follows Beloch for the boundaries of Roman territory at the end of the kingship. Including the territory of the Claudia, Beloch estimates the extent of Rome's *ager* then as about 822 square kilometers, which would average about 50 square kilometers for each of the sixteen tribes. We do not know how much of the land was excluded from the tribes as *ager publicus*.

[9] The suggestions in this chapter for the location of the Aemilia, the Camilia, the Cornelia, the Menenia, the Pollia, and the Sergia are, as far as I know, new (and in conflict with other suggestions for the Pollia); for the Voltinia I have a new interpretation of the evidence; for the sites of the other tribes, see, *inter alia*, Kubitschek, *Orig* 10–14 and s.v. Tribus, *RE* col. 2500 f.; Nissen, *ItLdk* 2. 2. 564 f.; Beloch, *RG* 169–76. For the evidence that the *gentes* for whom tribes were named with their clients once owned property in the tribes, see Chap. 15, text with n. 12.

[10] Festus (Paulus) 331 L.: *Romulia tribus dicta, quod ex eo agro censebantur, quem Romulus ceperat ex Veientibus.*

[11] See Beloch, *RG* 169. For the *ager Vaticanus*, see Pliny, *N.H.* 3. 53, quoted in n. 17 below.

[12] Festus 102 L.: *Lemonia tribus a pago Lemonio appellata, qui est a porta Capena via Latina.*

[13] For the location, see Festus' fragmentary note, p. 264 L: ⟨Pupinia tribus⟩ ab agri nomine . . . Tusculum urbem . . . -minit invictum . . . est. Paulus' summary is *Pupinia tribus ab agro Popinio*. On Hannibal's march

A fourth tribe, the Galeria, can be approximately located from the survival of the name in mediaeval and even in modern times. A stream known in mediaeval documents as Rio Galera, and today renamed Fosso Galeria (or Galera) flows into the Tiber from the right bank at Ponte Galeria, about halfway between Rome and the Tiber's mouth.[14] That is usually believed to be the site of the tribe, but there is perhaps a better indication in the mediaeval Galeria, now surviving in Santa Maria di Galeria. It lies close to the upper reaches of the Rio Galeria and its tributaries, some twenty-five kilometers north of Ponte Galeria, and less than ten kilometers west of Veii.[15] This site may be an extension of the old tribe to land taken from the Veientes before the capture of the city in 396. In any case, the tribe was surely on the right bank of the Tiber.

The Pollia tribe possessed a common tomb, from which ten imperial inscriptions have come to light between the Via Salaria and the Via Po.[16] The tomb may well have been placed on the territory of the old tribe, which, I would suggest, extended from the Tiber to the Via Salaria, going as far north as the site of Fidenae, and including the land in the bend of the river. This district included the site of the old city of Antemnae, reportedly conquered by Romulus. It

toward Rome, see Livy 26. 9. 12: Inde Algido Tusculum petiit, nec receptus moenibus infra Tusculum dextrorsus Gabios descendit. Inde in Pupiniam exercitu demisso octo milia passuum ab Roma posuit castra. It would appear that the Pupinia was not too far from Tusculum, and that it was perhaps between Rome and Gabii. Tenney Frank has argued (*AJP* 51 [1930] 70 f.) that the tribe lay north of the Anio, which Hannibal had to cross to approach Rome (Livy 26. 11. 1), but I am not convinced by his rejection of the indications of Festus that the tribe was close to Tusculum. Beloch's suggestion, *ItBd* 30, that Festus' note refers to a boundary dispute is more likely. On the survival of the name, see Cic. *Leg. agr.* 2. 96; Varro, *R.R.* 1. 9. 5; Livy 9. 41. 10 and the evidence cited in Chap. 13 under M. Atilius Regulus, Atilius Serranus, and Q. Fabius Maximus.

[14] For the association of these names with the tribe, see Kubitschek, *Orig* 13; Nissen, *l.c.* (n. 9 above). See also the important discussion of L.A. Holland, "Forerunners and Rivals of the Primitive Roman Bridge," *TAPA* 80 (1949) 281–319, esp. 281–83, with map showing the Fosso Galeria, 282; for the Fosso Galeria as an old shortcut to the salt marshes, see 290–92.

[15] See John Ward Perkins, "Southern Etruria and the Ager Veientanus," *PBSR* 23 (1955) 44–72, especially 68–69 on the neighborhood of Santa Maria di Galeria. The author shows that the mediaeval Galeria is not, as generally believed, to be identified with Careiae.

[16] See Chap 1, with n. 34. The Pollia is usually placed next to the Papiria, since a long-standing quarrel between the two tribes (Livy 8. 37) is interpreted as a quarrel between neighbors. (Kubitschek, *Orig* 13; De Sanctis, *StR* 2. 244, n. 3.) For a different explanation of the quarrel, see M. Flavius, Chap. 13.

was also the site of a municipality organized after the Social War, a suburban community known as Ager Latinus or Latiniensis. Without specifying the tribe, Beloch suggested that this municipality was formed after the Social War, when an old rural tribe was dissolved.[17]

Next to it, extending from the Via Salaria perhaps to the Via Nomentana, and also reaching to the territory of Fidenae, was, I suggest, the Sergia. The clue to the location I find in the *cognomen* Fidenas, give to L. Sergius, consul 437 and 424, and military tribune with consular powers in 433, 429, and 418. Livy has a vague suggestion of military victories as the explanation of his *cognomen*, but a more probable explanation, as Münzer recognized, is to be found in Sergius' activity, reported under 428, in a senatorial commission to investigate the participation of the Fidenates in raids on Roman territory.[18] As Münzer noted, another member of the three-man commission, Q. Servilius, also acquired the *cognomen* Fidenas, and the report of his victories is also uncertain. Accepting Münzer's suggestion that the commission explains the two men's *cognomina*, I make the further suggestion that Sergius (and perhaps Servilius too) was placed on the commission because his property and that of his clients were molested by the raids. If this suggestion is right, the Sergia was bordered on the north both by the territory of Fidenae and by the Claudia tribe.

For the site of the Fabia there is, as Kubitschek pointed out, an indication in the legend that the Fabian *gens* assumed the full responsibility of the war against Veii.[19] Veientane attacks on the property of the *gens* would explain the special interest of the Fabii in pros-

[17] In Pliny's list of Augustan communities in Regio 1 (3. 63) are mentioned *qui ex agro Latino, item Hernico, item Labicano cognominantur.* The site of the Ager Latinus below Fidenae is established by *N.H.* 3. 53: Tiberis . . . Veientem agrum a Crustumino, dein Fidenatem Latinumque a Vàticano dirimens. Cicero, *Har. resp.* 20, mentions the report of a prodigy *in agro Latiniensi*, described as *in agro propinquo et suburbano.* On this community as a replacement for an old rural tribe, see Beloch, *RG* 161. For a similar suggestion for other communities described as *agri* by Pliny, see note 5 above and Chap. 5, with notes 18–20. As Beloch suggested, such municipalities may have had no central *oppidum.*

[18] See Livy's comment, 4. 17. 8, on the origin of his *cognomen*: a bello credo quod deinde gessit appellatum; hic enim primus cis Anienem cum rege Veientium secundo proelio conflixit nec incruentam victoriam rettulit. On the senatorial commission in 428, see Livy 4. 30. 5: Veientes in agrum Romanum excursiones fecerunt. Fama fuit quosdam ex Fidenatium iuventute participes eius populationis fuisse, cognitioque eius rei L. Sergio et Q. Servilio et Mam. Aemilio permissa. See Münzer, s.v. "Sergius" 25 and "Servilius" 75, *RE.*

[19] Livy 2. 48–50. See Kubitschek, *Orig* 12; s.v. "Fabia tribus," *DE;* Nissen, *l. c.* (n. 9 above).

ecuting the war. The Fabia tribe, embracing the land of the Fabii and their clients, would then have adjoined the territory of Veii south of the Cremera, scene of the legendary defeat of the Fabii. If this was the site of the Fabia, it was the northernmost of the tribes on the right bank.

This suggested position of the Fabia may help to fix the sites of the Galeria and the Romilia on the right bank. There was hardly room for more than three tribes on this bank in the days of Veii's power. If Santa Maria di Galeria represents an extension of the Galeria, that tribe was probably next to the Fabia, and the Romilia would have been the southernmost tribe, extending along the river in the direction of the mouth. This tribe, like the Galeria, may well have been expanded as Rome encroached on the territory of Veii before the fall of the city in 396.

An excellent indication of the location of old tribes is provided by the tribes of towns bordering on the *ager Romanus*. It was Roman policy, wherever possible, to place new territory for which a new tribe was not created in an adjoining tribe, whose area was thus extended. The gradual growth of the Poblilia, the Teretina, the Falerna, and the Velina can be observed, and the policy, though modified, was not entirely abandoned even after the enfranchisements which followed the Social War. For the early republic the enrollment of Fidenae in the adjoining Claudia tribe is an indication of this policy. We can, I think, assume that a community on the borders of Rome's *ager* was, in the early period, enfranchised in a tribe which it adjoined. Unfortunately, the depopulation of Latium in the late republic and the empire has resulted in a dearth of inscriptional evidence for the tribes. We know the original tribe of Ostia at the mouth of the Tiber, which had been in Roman possession since the kingship. We also know the tribes of Tusculum and Aricia, the former, according to the tradition, enfranchised soon after 381,[20] the latter after the Latin War in 338 when Tusculum's citizenship was confirmed. But we do not know the tribe of Labici,[21] much of whose territory is reported to have been

[20] See Chap. 7, with n. 3; Chap. 15, with notes 25, 28–29; Chap. 16, with notes 9–14.

[21] According to Livy, 4. 47. 6, land of Labici was distributed in 418 to 1500 Roman colonists. Phillip, s.v. "Labici," *RE*, is incorrect in stating that Labici disappears from the records after this time, for incursions into the territory are mentioned under 383 (Livy 6. 21. 9) and 360 (7. 11. 3), and, at least in the first passage, the continued existence of Labici is implied. But the town is not mentioned in the Latin War. For its existence in 54 as a thinly populated municipality, see Cicero, *Planc.* 23: Nisi forte te Labicana aut Gabina aut Bovillana vicinitas adiuvabat, quibus e municipiis vix iam qui carnem Latinis petant reperiuntur. (On Bovillae, see Chap. 6, with n. 26.) There may have been no central *oppidum*, and the municipality of Cicero may be identical with the *ager Labicanus* of Pliny, quoted in n. 17 above.

annexed by Rome in 418. There is uncertainty about the tribe of Gabii and about the date of its enfranchisement, and there is doubt also about the tribes of Nomentum and Pedum, both enfranchised after the Latin War. There is conflicting evidence on the tribe of Antium, a Volscian town which received a citizen colony at the same time. The tribe of the Rutulian town Ardea, which may have remained in allied status until after the Social War, is unattested. The tribes of the two important Latin peoples enfranchised at that time, the Tiburtes and Praenestini, are known, but the question whether the tribes were determined by contiguity with old rural tribes must be considered. These tribes seem at that time to have been dissolved as administrative units, and their territory was either placed in new municipalities, like the Ager Latinus, which perhaps replaced the Pollia, or was attached to neighboring municipalities.[22]

The original tribe of Ostia was the Voturia, found in many local inscriptions, though here, as at Puteoli, a city tribe, the Palatina, symbol of the importance of the two ports for the capital, largely replaced the original tribe.[23] A curious reference to a native shrine of the Veturii, fifteen miles from the Anio, from which water for sacrifices had to be transported, is not inconsistent with a location for the Voturia on the left bank of the Tiber on the way to Ostia. Fraccaro, who pointed out the significance of the passage, noted that the Anio was three miles from the boundary of Rome, that the city was about two miles across, and that the shrine of the Veturii might have been ten miles out on the Via Ostiensis.[24] The Voturia would then be another tribe which did not reach the boundary of the city. It was apparently extended along the coast, for it seems to have been the tribe of Antium,[25] and perhaps also of Caere.[26]

[22] The dissolution of the old rural tribes after the Social War is not mentioned in the sources, but it seems to have taken place then as a result of the development of the municipality. See Beloch, *RG* 144–63 and *passim* (a restatement of his earlier view in *ItBd*); Mommsen, *RSt* 3. 780–84; cf. Rudolph, *SSRI* 42 and *passim*. See the succinct statement of M. Gelzer, "Gemeindestaat und Reichstaat in der röm. Geschichte," *Frankfurter Universitätsreden* 19 (1924) 12 f.; cf. Kornemann, s.v. "Municipium," *RE*, col. 587 ff.

[23] See Dessau, *CIL* 14, p. 4, with the additional evidence in the Supplement published in 1930. Much more evidence for both tribes has come to light since then. See Appendix.

[24] See the fragment of the speech of the Elder Cato, *contra Veturium*, Malcovati, *Orat. Rom. Frg.*[2] no. 74: *aquam Anienem in sacrarium inferre oportebat, non minus XV milia Anien abest.* See Fraccaro's interpretation, *Athen* 2 (1924) 54–57 (*Opusc.* 2. 1–3).

[25] For the evidence, see Appendix.

[26] See Chap. 7, n. 28.

The Papiria and the Horatia were the tribes in which Tusculum and Aricia respectively were enfranchised in the fourth century. Thus we have an excellent indication of the original site of these two tribes. The Papiria may also have been the tribe in which the territory of Labici close to Tusculum had been placed earlier. The Horatia of Aricia near the site of Alba Longa is perhaps reflected in the legend of the Horatii, whose property may have been in that tribe adjoining the site of Alba. Nomentum, enfranchised with Aricia after the Latin War, presents a more difficult problem, for the inscriptions found there, showing several tribes, seem to come mainly from epitaphs of residents of Rome who were buried along the Via Nomentana. It is tempting, on the basis of one of these epitaphs, to assign the town to the Clustumina, whose territory it adjoined, but there is no evidence that the man in this tribe had any connection with Nomentum. A better indication is a local dictator in the Cornelia.[27] I suggest that the *ager Romanus* was more widely extended in this direction than Beloch believed, that the Cornelia lay between the Via Nomentana and the Via Tiburtina, reaching to the boundaries of Nomentum, and that the tribe was extended to include the town after the Latin War.

The Menenia and the Camilia were the tribes assigned to the Praenestini and the Tiburtes, the two Latin peoples not enfranchised until after the Social War. Assignment to these tribes at that time does not necessarily mean that the Menenia and the Camilia were adjacent to their territory. But it is possible that these tribes adjoined the land taken from the two peoples after the Latin War (Livy 8. 14. 9), that the land was placed in these two tribes then, and that after the Social War, when all the land of Latium was distributed among municipalities, Praeneste and Tibur regained their old territory and took the tribes in which that territory had been placed. There is some reason to think that the Menenia was already in the neighborhood

[27] *CIL* 14. 3941. See 3955 for a municipal dictator in the urban Palatina. Inscriptions from Nomentum show the Clustumina (*CIL* 14. 3979), the urban Collina (3949), the Sergia and Claudia (3945), all surely tomb inscriptions, the last two of Roman officials. The two occurrences of the Horatia, which led Dessau (*CIL* 14, p. 440) tentatively to assign Nomentum to that tribe, are also, I think, to be attributed to tomb monuments. They are on two of five identical oblong bases, all with inscriptions on the narrow ends. The one which I measured is 152 cm. long, 56 wide, 42 high. They have long served as seats in the Via Tre Novembre, the main street of Mentana (ancient Nomentum). All but one of them are turned upside down. The inscriptions record C. Bruttius L. f. Hor. (3961), Bruttia, C. f. (3962), L. Herennius L. f. Hor. Gallus (3972), and two Herenniae L. f. Maior and Minor (3973–74). These Bruttii and Herennii seem to have come from Venusia in the Horatia, where both names, including a C. Bruttius, occur (*CIL* 9. 488, 489, 526, cf. 523). Professor Susini is preparing a study of these bases.

of Praeneste. The old town of Pedum which lay between Praeneste and Tibur, almost certainly at the fine site of Gallicano, was enfranchised with Aricia and Nomentum after the Latin War. Pedum disappeared later as an independent community, and seems to have been incorporated in the territory of Praeneste.[28] An inscription showing the Menenia was preserved at Gallicano, and that may have been the tribe of Pedum.[29] There is no such evidence for the original location of the Camilia near Tibur, but the *ager* of the town in the empire seems to have included Aquae Albulae toward Rome, which may have been in the territory taken from Tibur by Rome after the Latin War.[30]

Here the tribe of Gabii is also to be considered, for Beloch may be right that it maintained a shadowy independence until the Social War, and was then made into a *municipium*.[31] An imperial *consularis* of the Antistii, a family that claimed origin from Gabii, was registered in the Aemilia, and the possibility should be considered that that was the tribe of Gabii.[32] But the evidence is weak, and there does not seem to be room for both the Menenia and the Aemilia in this region. If the Menenia was the tribe of Pedum, there is stronger reason for placing it here.

The position of the Voltinia may be indicated by an imperial inscription which lists the numbers of men added to the recipients of free grain. The tribes and numbers preserved on the broken stone are as follows: Palatina 4191, Suburana 4068, Esquilina 1777, Collina 457, Romilia 68, Voltinia 85.[33] The official order of the tribes is maintained by the placing of urban tribes before rural, but within the group of urban tribes the names are listed not in the regular order, with the Suburana first, but in descending order of the number of recipients. The two rural tribes on the broken stone are, however, in ascending order, and it is evident that here a different principle of arrangement was adopted. Since the Romilia is known to have been the first of the rural tribes on official lists, it is likely that, for

[28] See Beloch, *RG* 163 f. On the site of Pedum, see Philipp, s.v. *RE*.

[29] *CIL* 14. 3381, once in the pavement of a church at Gallicano, placed by Dessau, p. 291, because of the tribe, among the inscriptions of Praeneste, though other inscriptions of Gallicano are published separately (p. 287).

[30] The provenience of the inscription recording land, presumably for burial, in the possession of the Camilia tribe (see Chap. 1, n. 34), would, if known, be of value for the location of the tribe. See also Appendix, with evidence for the Camilia at Antium.

[31] On the curious status of deserted Gabii, see Beloch, *RG* 155–57, 163, 320.

[32] See L. Antistius Vetus, Chap. 13.

[33] *CIL* 6. 10211 (*ILS* 6046). See Mommsen, *RSt* 3. 446, n. 3. and Chap. 6 below.

the smaller groups in these tribes, the regular order of the tribes is followed.

The order of the rural tribes, as I hope to show in Chapter 6, was based on orientation from Rome in counter-clockwise direction. Assuming that my view is correct and that the Romilia extended on the right bank of the Tiber toward the mouth, I would place the Voltinia next to the river on the left bank, above the Voturia, which reached to the mouth.

Of the seventeen oldest rural tribes, the sites, though not the boundaries, of the Claudia, the Clustumina, and the Lemonia are definitely established, the general region of the Pupinia is known, and the Romilia and the Galeria are surely to be placed on the right bank of the river. The Voturia, the Horatia, and the Papiria can also be approximately located. For the sites of the other tribes I have made suggestions[34] with greatest confidence for the Pollia and the Menenia, and with the greatest doubt for the Aemilia. It is to be noted that there is a dearth of tribes in the region to the south between the Tiber and the Alban Hills. We do not know how much of this region, which was not in general good farm land, was occupied by the *ager Laurens* and by *ager publicus*. But it seems to me not unlikely that the Aemilia should be placed here, and I have indicated the possibility on the accompanying map which presents my proposals for the sites of the oldest rural tribes.

Although the old rural tribes have left records at Aricia and Tusculum and perhaps Nomentum and Pedum, to which they were extended after the Latin War, the only inscriptions on the old sites are those recording the Voturia at Ostia. Pupinia and, to judge from the modern survivals, Galeria, continued to exist as place names, and the Claudia lived on in the traditions of the Claudian house. But with the decline of agriculture on the overworked soil of Latium, and the consequent disappearance of freeborn men, the tribes must have ceased to be a source of voters and soldiers in the second century B.C. The old tribes were dissolved following the Social War, and replaced by thinly populated municipalities. The land given to Appius Claudius for his clients is described by Livy, in terms that evidently refer to the past, as *vetus Claudia tribus*. The tribes continued to exist in distant regions to which they had been extended with the enfranchisement of new voters. When Cicero (*Vatin.* 36) lists the voters in the Sergia tribe, it is of Sabines, Marsi, and Paeligni that he speaks, and not of the men who once trooped to the comitia from the old Sergia.

[34] See also for the location of these tribes, Chap. 7, with notes 22–24.

CHAPTER 5

THE FOURTEEN RURAL TRIBES INSTITUTED FROM 387 TO 241 (with map *)

No new tribes were created for more than a century after 495, the year to which the Clustumina, and probably the Claudia also, should be assigned. In this period the four urban tribes and the seventeen rural tribes, which then made up the populus Romanus, became voting districts. Under the so-called Lex Publilia of 471 the tribes were given the right of electing plebeian magistrates; in 447 they became the elective body for the quaestors. They also acquired certain judicial functions, and, especially after the Valerian-Horatian laws of 449, developed into an important legislative body.[1] Since each tribe voted as a unit, and since, to reach a decision, an uneven number of tribes was essential, it was necessary to maintain inequality in the number of tribes. That end was secured by the institution of new tribes in groups of four in 387, and subsequently of two.

It was not until the fall of Veii in 396 that the first great addition to Roman territory was made in the republic. There were small increments like the territory of Fidenae, acquired in 426, and of Labici, in 418, but these were included in the old rural tribes. The annexation of Veii's extended territory, adding perhaps fifty per cent to the Roman *ager*, presented a new problem, and it was met

* The map facing this page shows the position in which I place both the seventeen earlier rural tribes (names in abbreviated form) and the fourteen later tribes (names written in full). The map also illustrates the discussions of the order of the tribes in Chapter 6 and of the position of new divisions of rural tribes made before the Lex Flaminia of 232, a subject considered in the first part of Chapter 7. For the *ager Romanus* of that period I have, in general, accepted the view of Beloch, *RG* 620 f., departing from him in including Interamna Nahars (Chap. 7, with notes 14–19) and in excluding Fulginiae (Chap. 7, n. 24). The map does not show five Latin colonies of this period (Ariminum, Brundisium, Luceria, Paestum, Venusia) or the citizen colony Sena Gallica, whose tribe is unknown.

[1] It is unimportant for this discussion whether the tribes voted in the *concilium plebis* under the presidency of plebeian magistrates or in the *comitia tributa* under patrician magistrates. For confusion in the terms, see Botsford, *RAss* 119–38. For the evidence on the development of tribal assemblies in elections, legislation, and jurisdiction, see Mommsen, *RSt* 3. 321–28 and *passim*; Botsford, index s.v. "comitia tributa," "concilium plebis."

by the organization of four new tribes in 387, the Stellatina, the Tromentina, the Sabatina, and the Arnensis. Livy says that they were created for the deserters from Veii, Capena, and Falerii,[2] but the deserters could hardly have been numerous enough to fill the land. Livy also tells us, in a doubtless exaggerated statement, that every Roman citizen received an allotment of seven *iugera* in the new territory, and obviously many of these citizens must have been in the new tribes.[3] As we shall see in Chapter 15, a number of patrician families were enrolled in the Veientane tribes.

The location of the four tribes can be approximately determined. The Tromentina seems to have been on the site of Veii, for it was the tribe of the municipium (Augustum) Veiens, probably first made a municipality after the Social War to take the place of the tribe as an administrative unit.[4] The Stellatina, later the tribe of Capena, must have been northeast, toward the Tiber, and the Arnensis, whose name may be derived from the ancient name of the river Arrone, lay to the northwest.[5] This was probably the tribe of Forum Clodi on the west of the Lake of Bracciano.[6] To the north, adjoining the

[2] Livy 6. 5. 8 under 387: Tribus quattuor ex novis civibus additae, Stellatina Tromentina Sabatina Arniensis; eaeque viginti quinque tribuum numerum explevere. For the new citizens, see 6. 4. 4 under 389: Eo anno in civitatem accepti qui Veientium Capenatiumque ac Faliscorum per ea bella transfugerant ad Romanos, agerque his novis civibus adsignatus. The institution of the new tribes has been assigned by some scholars to this year, 389, since two additional names of military tribunes in Diodorus' list for the year have been explained as the names of censors who would have organized the new tribes. See *MRR* 1, p. 98, n. 3. On the origin of three of the names, see Festus, 464 L.: Stellatin⟨a tribus *dicta non a campo*⟩ eo qui in Campania est, sed eo qui⟨*prope abest ab urbe* Ca⟩pena, ex quo Tusci profecti St⟨*ellatinum illum*⟩campum appellaverunt. Sabatin⟨a a lacu Saba⟩te; Festus (Paulus) 505: Tromentina tribus a campo Tromento dicta.

[3] Livy 5. 30. 8: Adeoque ea victoria patribus laeta fuit, ut postero die referentibus consulibus senatus consultum fieret ut agri Veientani septena iugera plebi dividerentur, nec patribus familiae tantum sed ut omnium in domo liberorum capitum ratio haberetur, vellentque in eam spem liberos tollere. Diodorus, 14. 102, while stating that some authorities reported an allotment of twenty-eight *plethra*, favors four *plethra*, which would be more nearly two *iugera*. But Greek texts often render *iugera* by *plethra*. See W. Becher, s.v. πλέθρον, *RE*.

[4] See Beloch, *RG* 161.

[5] Kiepert's suggestion for this origin of the name of the tribe, about which we have no information, has been generally accepted.

[6] The only evidence for the tribe of Forum Clodi is the inscription *CIL* 11. 3303 (*ILS* 154), which shows one *duumvir* in the Quirina and one in the Arnensis. Bormann in *CIL* 11, p. 553, followed by Kubitschek, *IRTD*, suggested that the town was in the Quirina, noting two occurrences of that

lake known in ancient times as Lacus Sabatinus, lay the Sabatina. These tribes became favorites in the assignment of citizenship to Etruscan peoples. The names are, however, derived not from any of the peoples of the region, but from features of the landscape, *campi* for the Tromentina and the Stellatina, a lake for the Sabatina, probably a river for the Arnensis.

The area of the new tribes would have been made up of viritane allotments, probably without walled towns (*oppida*). It is generally assumed that the new tribes would have been larger than the old ones, but it may be doubted whether there was much difference in the original size. Not all the conquered territory would have been in the four new tribal areas. There must have been land reserved for *ager publicus* and some provision for native population like the Capenates. The conditions would have had a certain fluidity, for Rome had not yet evolved her later system of dealing with subject peoples.[7] New tribes tended in general to increase in extent through enfranchisements and further assignments to old citizens from *ager publicus*. Censors were probably free to enroll in new tribes the Roman citizens, old and new, who settled in the periphery in gatherings known as *conciliabula civium Romanorum*.

The establishment of these new tribes and of most of the others created in the next century or more was accompanied not only by viritane assignments of land to Roman citizens, but by allotments in Latin colonies to a combination of Romans and allies, who had a fortified *oppidum* designed to protect the region. The large grouping of men in these settlements and the size of the land grants to individuals—much greater than the viritane allotments—compensated for the loss of citizenship by the colonists, and made the colonies attractive to settlers.[8] The Latin colonies which warded off attacks on the old Veientane land were placed about 383 at Sutrium and Nepet, sites rightly described by Livy as *claustra Etruriae*.[9] For later tribes the Latin colonies were regularly established not after the organization of the tribe, but some years before.

tribe at Careiae, which, he held, may have been in the territory of Forum Clodi. But the extent of the town's *ager* is uncertain. The Quirina is not attested as the tribe of any Italian town outside the territory of Sabini and Vestini until the empire. For Antium, see Appendix.

[7] See Chap. 7, with notes 6–9.

[8] For the dates of Latin and citizen colonies, see Kornemann's citation of the evidence, s.v. "Coloniae," *RE*. On Roman colonization, and particularly on Latin colonies before and after 338, see E.T. Salmon, *The Phoenix* 7 (1953) 93–104; 123–35. See also Degrassi, *Città*.

[9] See Livy 6. 9. 4: *loca opposita Etruriae et velut claustra inde portaeque*. There is conflicting evidence for the date of the colonies. See De Sanctis, *StR* 2. 149, n. 3.

The next two tribes, the Pomptina and the Poblilia, were instituted in 358, nine years after the Licinian-Sextian laws.[10] The Pomptina was placed *in agro Pomptino*, the territory of the old Latin people of Suessa Pometia[11], which had passed into the hands of the Volscians and was won from them apparently by Camillus' victories of 389. Pomptina may be related in origin to Pometia.[12] A Latin colony Setia was placed in the region in 382 and strengthened in 379, but most of the land remained *ager publicus*, exploited, it was charged, by the patricians and not distributed to the people, in spite of much tribunicial agitation on the subject.[13] The institution of the tribe evidently meant that the Roman plebs at last got a share in the land. The only relic of the tribe on the site is an inscription of a man in the Pomptina (*CIL* 10. 6491) who gives as his *domus* Ulubrae, a municipality later organized in the territory of this tribe. Again the tribal unit was presumably without organized towns.

The Poblilia (Poplilia, Publilia) presents a difficult problem both for its name and for its original location. It is the only one of the later rural tribes with a *gens* name, but, unlike the old patrician tribal names, Poblilia was a well-known plebeian *nomen*. The only information we have on the origin of the name is a baffling statement of Paulus. (265 L); *Popillia tribus a progenetrice traxit vocabulum*, and a tantalizing fragment of Festus (264 L) under the same corrupt lemma, in which nothing is preserved about the *progenetrix*. The statement of Festus gave the full number of tribes at the time (presumably twenty-seven) and cited as a parallel for the name some unknown monument or institution called Pinaria a sororis P[*inarii . . . no*]mine. Evidently the name was said to have been taken from a Publilia, apparently the ancestress of the person responsible for establishing the tribe. Mommsen suggested a restoration of the passage according to which Poblilia was the ancestress of one of the unknown censors under whom the first registrations in the tribe were

[10] Livy 7. 15. 12: *Eodem anno duae tribus Pomptina et Publilia additae.* There were probably censors in office in this year, but Livy does not record their names, and there is a lacuna in the *Fasti*.

[11] Festus (Paulus) 263 L (cf. 262): Pomptina tribus a Pomptia urbe est dicta.

[12] See Beloch, *RG* 356–58; for a defense of the derivation of Pomptina from Pometia, see 357, n. 1 and also Philipp s.v. "Suessa Pometia," *RE*.

[13] See Livy 6. 5. 1–4 (on the recriminations against the nobles); 6. 6. 1; 6. 21. 4. In the last passage, under the year 383, the appointment of *quinqueviri Pomptino agro dividundo* is recorded. Presumably they were active in assigning land for the Latin colony Setia. See Philipp, s.v. "Setia," *RE*, and M. Hofmann s.v. "Pomptinae Paludes," *RE*, suppl. 8, col. 1157 ff.

made.[14] But if, as I have argued in Chapter 2, tribes were instituted by vote of the people, Publilia may have been the ancestress of a consul or a tribune of the plebs who sponsored a law creating the two tribes. The combination of a plebeian tribal name with the Pomptina in territory for which the plebs had long been agitating suggests a plebeian victory in securing land assignments.

Publilius was a distinguished name in the annals of the plebs. Volero Publilius, tribune of the plebs in 471, was credited with the proposal of the law which gave the plebs the right of electing plebeian officers and inaugurated the tribal assembly as a voting body. There were Publilii among the plebeian military tribunes with consular power in 400 and 399. Q. Publilius was one of the two tribunes of the plebs of 384 who brought M. Manlius Capitolinus to trial for treason and obtained his conviction and execution. In 358 another great representative of the house, probably the son of this tribune, was rising, Q. Publilius Philo, first heard of as *quinquevir mensarius* in 352. He was the first plebeian praetor, the holder of four consulships and a censorship. Like Volero Publilius, he was interested in the tribes as voting units, and one of the epoch-making Leges Publiliae which he sponsored as dictator in 339 made plebiscites passed by the tribes binding on the state. The influence of the house and its great role in establishing the tribes as a voting body[15] were probably not less important than the shadowy Publilia, someone's ancestress, in securing the inclusion of this plebeian name with the patrician names immortalized in the tribes.

The general view is that the Poblilia, like the Pomptina, was in Volscian territory, but no traces of the tribe have survived in that region. Instead the Poblilia is the tribe of the Hernican towns Anagnia, enfranchised before the Social War, Aletrium and Ferentinum, prob-

[14] I quote the Festus note as it appears in Lindsay's text, p. 264:

Popillia tri⟨bus⟩ . . . . . ⟨tri⟩
buum, tot enim fue . . . . . .
lici nomine ap . . . . . .
Pinaria a sororis P⟨*inarii*⟩ . . . . . ⟨*no-*⟩
mine.

Mommsen, *RSt* 3. 172 n. restores from the second line on: tot enim fue[*runt aliquando, a progenetrice fe*]lici nomine ap[*pellata est censoris qui eam fecit; ut ara* (?)] Pinaria a sororis P[*inarii eius qui sacra fecit Herculi no*]mine. Münzer, *RA* 35, n. 1, made suggestions for the ancestress of the unknown censor.

[15] See Q. Publilius Philo, Chap. 14 for the suggestion that he was registered in the tribe which bore his name. It is possible, in view of his subsequent interest in the tribal vote, that he had an active part in the institution of the Poblilia tribe.

ably not given citizenship until after the war. Kubitschek, who held that tribes usually survived in regions where they were originally established, placed the Poblilia on Volscian land close to the Hernici, but Beloch's view that it was south of the Pomptina has been generally accepted. I agree with Pais that it was established in the first place in Hernican territory[16].

Hernican revolts had been frequent since 389 and there was a war with the Hernicans which lasted from 361 until it was ended by the victory of the consul C. Plautius in 358.[17] In that victory, won, it is to be noted, by a great plebeian general, the Hernicans were, Livy says (7. 15. 9), *devicti subactique*. There is no word of confiscation of land, and the chief Hernican peoples remained federated with Rome under their own laws. But it is likely that territory in the upper valley of the Sacco and further to the north toward the Aequi was annexed as the Poblilia tribe,[18] and that it provided the basis for land assignments both to old citizens from Rome and to Hernicans who had been faithful to Rome. Publilia for whom the tribe was named may have been an ancestress of the victor over the Hernicans, C. Plautius, who may have been responsible for the law creating the two new tribes.

There is, I believe, a relic of this original settlement in Pliny's list of Augustan communities. Some of these communities are, as Beloch has shown, new creations of the period of the Social War, when the old rural tribes were abandoned as administrative units. Included in Pliny's list of Regio 1 are " those who take their name *ex agro Hernico.* " These people, unlike the men from Ager Latinus and Ager Labicanus mentioned with them, are not clearly identified.[19] Beloch suggested that Ager Hernicus was the original nucleus of the

[16] See Kubitschek, *Orig* 23; Beloch, *RG* 265, and his map, at the end of the volume, of Central Italy in 298 B.C. Cf. Homo and Adcock, *CAH* 7 (1928) 577 and 586; Max Hofmann, s.v. " Pomptinae Paludes," *RE*, suppl. 8, col. 1160, where the Poblilia is placed " vermutlich grössten Teils zwischen den Flüssen Nymphaeus und Astura. " For Pais' brief statement on the site of the Poblilia, see *Storia dei Romani* 1.2 (Turin 1899) 129.

[17] For the evidence, see under the years in *MRR*. The censors usually functioned for eighteen months, and the organization of the tribe may not have been completed until 357.

[18] There were other people among the Hernici besides the four major peoples, the Anagnini, the Aletrinates, the Ferentini, and the Verulani. See Livy 9. 42. 11 and 43. 23–24. Cf. Mommsen, *CIL* 10, p. 584; De Sanctis, *StR*, 2. 337, n. 4. The tribe of Capitulum Hernicum (Piglio), close to the Aequi, may have been the Aniensis, the tribe of the Aequi. See *CIL* 14. 2960 (*ILS* 2681), found near Praeneste. But the evidence is inconclusive.

[19] Pliny, *N.H.* 3. 63, cited above, Chap. 4, n. 17. On the text, see Beloch, *RG* 153 f. On the dissolution of the rural tribes, see Chap. 4, n. 22.

Teretina tribe,[20] which he and other scholars have, erroneously I think, placed in Hernican territory. I believe that Ager Hernicus was the old Poblilia, which, like Ulubrae in the Pomptina and various communities of Latium, became a municipality after the Social War.

The region had long been guarded by a Latin colony, Signia, on a commanding site, colonized first, according to the tradition, under Tarquinius Superbus, and later reinforced (Livy 1. 56. 3; 2. 21. 7). But the land was cut off from Roman territory by Praeneste, which, however, at this time and until the Latin War seems to have been quiescent. There was more danger in the Pomptina, where the Volscians, who for a time had possession of the pass through Velitrae, were spreading disaffection among the Latin peoples. Fear for the safety of the settlers, as well as self-interest, may account for the long delay of the patricians in the assignment of Pomptine territory. The new plebeian senators seem to have been more ready to take risks and to send men out to two regions separated from the *ager Romanus*. Both tribes, I think, reflect the power the plebeians acquired after the passage of the Licinian-Sextian laws.

Expansion of the Pomptina was limited by the organization in 332 (when Publilius Philo was censor) of the Maecia and the Scaptia to the north and by the institution in 318 of the Oufentina to the south, but the Poblilia, if I locate it correctly, was extended. It may well have been increased by the confiscation of land of Anagnia, leader of the Hernican revolt in 306. Anagnia became a *civitas sine suffragio* at that time and when later it received the vote, certainly by the second century, it was placed in the Poblilia. Two other Hernican towns, Aletrium and Ferentinum, were, as I have already stated, added to the tribe after the Social War.

The existence of an Augustan community Ager Hernicus, the ethnic association of the Hernicans with the Poblilia, and the lack of any indications of survival of the tribe elsewhere, along with the evidence for a victory over the Hernicans in the year when the tribe was organized, provide strong evidence for my location of the tribe.

After the end of the Latin War in 338, the gap between the Pomptina and the *ager Romanus* was filled by the enfranchisement of the Aricini, the renewal of citizenship for the Tusculani, and the creation in 332 of two new tribes, the Maecia and the Scaptia, in more distant territory.[21] The tribes, Livy says, were for new citizens. The

[20] *ItBd* 106. The suggestion is not repeated in *RG*, where Beloch states, (154) that the *ager Hernicus* may have consisted of " eine Anzahl Dörfer ohne städtischen Mittelpunkt."

[21] Livy 8. 17. 11: Eodem anno census actus novique cives censi. Tribus propter eos additae Maecia et Scaptia; censores addiderunt Q. Publilius Philo Sp. Postumius. On this passage, see Chap. 2.

Maecia, according to Festus, was named for a camp (*castrum*), and there was a camp of the Volscians near Lanuvium, which Livy describes as *ad Meciam.*[22] The location is supported by the fact that the Maecia was the tribe of Lanuvium.[23] There were, very likely, awards to Roman citizens in the neighborhood, and the Lanuvini, whose grant of citizenship in 338 was made with the condition that they should share their great shrine of Juno Sospita with the Romans, were enrolled in the Maecia, perhaps when it was established.[24]

The location of the Scaptia is harder to establish. It took its name, Festus tells us, from an urbs Scaptia,[25] and Scaptia is mentioned by Pliny (*N. H.* 3. 68) among the towns in Latium which had disappeared. The Scaptiani are named by Dionysius (5. 61. 3) in the list of Latins who united after the expulsion of the Tarquins. But there is no indication of the site of Scaptia. The lists of Latins given by Dionysius and Pliny, it is to be noted, include peoples that were at some time under Volscian domination. Now, there is reason to believe that the Scaptia was the tribe of Velitrae. The tribe is attested not from the inscriptions found on the site, which show one example each of three other tribes,[26] but from the fact that a native son, C. Octavius, the father of Augustus, was registered in the Scap-

[22] Festus (Paulus) 121 L: Maecia tribus a quodam castro sic appellatur. Cf. Livy 6. 2. 8: tertiam partem ipse ad Volscos duxit nec procul a Lanuvio—ad Meciam is locus dicitur—castra oppugnare est adortus. *Ad Meciam* is apparently identical with the place referred to by Diodorus, 14. 117. 1, as ἐν τῷ καλουμένῳ Μαρκίῳ (for which Sigonius made the conjecture Μαικίῳ) and by Plutarch, *Cam.* 34, as περὶ τὸ Μάκιον ὄρος.

[23] See *CIL* 14. 2104, and Dessau's comments, p. 191. See L. Roscius Fabatus in Chap. 13.

[24] Livy 8. 14. 2–4: Lanuvinis civitas data sacraque sua reddita, cum eo ut aedes lucusque Sospitae Iunonis communis Lanuvinis municipibus cum populo Romano esset. Aricini Nomentanique et Pedani eodem iure quo Lanuvini in civitatem accepti. Tusculanis servata civitas quam habebant crimenque rebellionis a publica fraude in paucos auctores versum. See Festus (Paulus) 155 L, where the Lanuvini and the Tusculani are listed as former *cives sine suffragio.* Cf. Chap. 7, n. 6 below. On the interpretation of Festus, see Sherwin-White, *RomCit,* Chap. 2.

[25] 464 L: S⟨captia tribus a no⟩mine urbis Scaptiae a⟨*ppellata quam Latini*⟩ incolebant. Both town and tribe are omitted in *RE.*

[26] There are local magistrates in the Quirina and the Clustumina (*CIL* 10. 6555, 6576). The former tribe to which the Claudian and Flavian emperors belonged is so common in the empire that its occurrence is of no significance. For the Stellatina see 6598. A Roman senator in the Voltinia (*NSc* 1924, 346) probably has no local importance. For the evidence, see Giulio Cressedi, *Velitrae* (Rome 1953) 22.

tia.[27] The Veliterni a Latin people, held territory that dominated the approaches to the Alban mountains from the south. The site was, according to tradition, repeatedly colonized by the Romans, but it fell under Volscian power and was frequently at war with the Romans until the final Latin settlement in 338. Livy reports then a severe punishment of the population and confiscation of territory (8. 14. 5–7): In Veliternos veteres cives Romanos quod totiens rebellassent graviter saevitum; et muri deiecti et senatus inde abductus iussique trans Tiberim habitare . . . In agrum senatorum coloni missi, quibus adscriptis speciem antiquae frequentiae Velitrae receperunt. If, as I believe, this report is reliable, much of the *ager* of Velitrae was apparently given by viritane assignment to Roman citizens. These men, with perhaps elements of the local population who remained faithful to Rome, presumably made up the Scaptia tribe. This is not the usual view. Beloch places the Scaptia below Lanuvium between Aricia and Ardea, and assumes that Velitrae was long a *civitas sine suffragio*.[28] A Volscian inscription from Velitrae recording *meddices*,[29] the usual title of the chief magistrates of the Oscans, suggests that there was such a community in the region, and that full citizens lived for a time in close proximity to men with lesser rights.

These two new tribes and the confiscation of part of Praeneste's territory in 338—presumably land adjoining the Poblilia—seem to have made the Roman *ager* continuous. There was no need of new Latin colonies to guard the new tribes, and none was established.

The Oufentina and the Falerna, organized in 318,[30] were on sites about which there is no question, and for both tribes it is clear that

[27] See C. Julius Caesar and C. Octavius, Chap. 13. Mommsen, *RSt* 3. 788, n. 6, tentatively assigned Velitrae to the Scaptia. See also Münzer, s.v. "Octavius," *RE*, col. 1803.

[28] *RG* 380 f. See his map of Central Italy before 298.

[29] See Bernardi's *Cives s.s.*; on Velitrae, see 268, n. 2. He suggests that the inscription may be before 338 or that the magistrates may be *ad sacra*. For the most recent publication of the inscription, see Emil Vetter, *Handbuch der italischen Dialekte* (Heidelberg, 1953) no. 222, pp. 156 f. Vetter dates it earlier than the bronze tablet from the Marrucini, which he places ca. 250.

[30] Livy 9. 20. 6: *et duae Romae additae tribus Ufentina ac Falerna*. Livy does not mention the names of the censors, but they are found in the *Fasti*, and Livy mentions a census under 319. See *MRR* under 319–18. Cf. also Diodorus 19. 10. 2, under 318: προσέθηκαν δὲ καὶ δύο φυλὰς ταῖς προϋπαρχούσαις, τήν τε Φαλέρναν καὶ τὴν Ὠφεντῖναν. On the name of the Oufentina, see Festus 212 L: Oufentinae tribus initio causa fuit nomen fluminis Ofens, quod est in agro Privernate mare intra et Tarracinam. Lucilius (1260 M): "Priverno Oufentina venit, fluvioque Ofente." Postea deinde a censoribus alii quoque diversarum civitatum eidem tribui sunt adscripti.

much of the land was parcelled out in viritane assignments to Roman citizens. The Oufentina, named from the river Ufens, was in the territory of Privernum, much of which had been in Roman possession certainly since 329, the year of a triumph over Privernum and of the foundation of the citizen colony of Tarracina, which was later registered in the Oufentina. Livy reports that Privernum lost two-thirds of its territory in 341;[31] that in 329 the senators, like the senators of Velitrae, were sent across the Tiber; and that, after long debate, citizenship was granted to the people.[32] Again the tribe would have been made up of confiscated territory, assigned largely to Roman citizens. The Privernates, after a period with partial rights, were eventually registered in the Oufentina. The *Falernus ager*, the territory north of the Volturnus, was taken from the Campanians after their defeat in union with the Latins in 340, but there was delay in the organization of the territory, apparently because of dissatisfaction of the plebs with the division of the land.[33] Both tribes were protected by Latin colonies, the Oufentina by Fregellae, established in 328, and the Falerna by Cales, founded in 334.

The next tribes organized were the Aniensis and the Teretina in 299.[34] Of the site of the Aniensis on land taken from the Aequi, who were subdued in 304-02, there can be no doubt. The tribe was in the Anio valley from which it took its name, a region where the Latin colonies of Alba Fucens (303) and Carsioli (298) show that there were large confiscations of territory, and where one community, Trebula Suffenas, may have received citizenship without the vote in 303.[35]

[31] 8. 1. 3; cf. 8. 11. 13. The general view is that this report has been transferred by mistake from 329, when consuls with the same *nomina* and *praenomina* were in office (see Adcock, *CAH* 7. 589 n.), but for a defense of the tradition (which I accept), see Münzer s.v. "Plautius" 18, *RE*.

[32] Livy 8. 20. 9: De senatu Privernate ita decretum, ut qui senator Priverni post defectionem ab Romanis mansisset trans Tiberim lege eadem qua Veliterni habitaret. There was discussion about the fate of the people of Privernum (*innoxia multitudo*) who had had no part in the revolt; the result, as stated by Livy (9. 21. 10), was *ex patrum auctoritate latum ad populum est ut Privernatibus civitas daretur*. This was presumably *civitas sine suffragio*. See Mommsen, *RSt* 3. 582, n. 1; Bernardi, *Cives s.s.* 268–70; Sherwin-White, *RomCit* 46.

[33] The land assignments were originally larger than in Latin territory. See Livy 8. 11. 14, with Mommsen's discussion, *CIL* 10, p. 460.

[34] Livy 10. 9. 14: Et lustrum eo anno conditum a P. Sempronio Sopho et P. Sulpicio Saverrione censoribus tribusque additae duae, Aniensis ac Terentina. It is possible that the registration of patrician Sulpicii in the Aniensis dates from this period. See Ser. Sulpicius Galba, Chap. 13.

[35] See Livy 10. 1. 3: *Arpinatibus Trebulanisque civitas data* (certainly *civitas sine suffragio* for the Arpinates, and therefore for the Trebulani also).

The Aniensis was probably made up of viritane assignments to citizens on the south side of the Anio; in it the communities, Afilae and Treba, as well as Trebula Suffenas, developed, perhaps originally as *civitates sine suffragio*, but eventually with the vote in the Aniensis.

The position of the Teretina is harder to determine. Festus says that it was thought to have taken its name *a flumine Terede*,[36] and Mommsen suggested that the river was the Trerus, the modern Sacco.[37] The view of Beloch that the tribe was placed on land given up by Frusino in 303 is widely accepted.[38] But when Frusino was enfranchised, it was placed in the Oufentina, and that was probably the tribe of the land that was confiscated earlier. It is more likely that the Teretina was placed originally in a region where the tribe survived, the coastal territory from the Liris to the Volturnus, the land of the Au-

It is uncertain which of the Trebulae in Italy (for the five towns of that name, see Philipp, s.v., *RE*) is referred to here. Mommsen and De Sanctis held that the Trebulani were the people of Trebula Balliensis (?) in Campania, a site of importance in the wars with the Saminites (see Chap. 7, n. 27, with De Sanctis' tempting emendation of Diodorus), and Beloch (*RG* 425) identified them with the people of Trebula Mutuesca on the Via Salaria in a strategic position for the Umbrian wars of the period. But Adcock's suggestion that the award went to Trebula Suffenas in the Aequi (*CAH* 7. 608) now seems to me more likely, though I overlooked it in my paper on Trebula Suffenas. The Aequi had made it clear in the previous year, 304 (Livy 9. 45. 5–8), that they did not wish to become Romani (that is *cives s.s.*), and had dispersed to defend their thirty-one *oppida*, most but not all of which the Romans proceeded to destroy (Livy 9. 45. 17, quorum pleraque diruta atque incensa nomenque Aequorum prope ad internecionem deletum). The Trebulani Suffenates, who in their position above Tibur had closer communications with Rome than the other Aequi (see my *TrebSuf*), may have been favorable to Rome and may have received *civitas s.s.* in the following year. The identification is supported by the position of the two Latin colonies whose foundation Livy (10. 1. 1–3) notes at the same time: Soram atque Albam coloniae deductae. Albam in Aequos sex milia colonorum scripta; Sora agri Volsci fuerat sed possederant Samnites; eo quattuor milia hominum missa. Eodem anno Arpinatibus Trebulanisque civitas data. Sora directly adjoined Arpinum, and Alba (Fucens), like Trebula, belonged to the territory of the Aequi. The award of *civitas s.s.* to two neighboring peoples may have been a measure accompanying the establishment of the two Latin colonies as bulwarks against the Samnites and the Aequi.

[36] Festus 498 L. Teretinatibus (corruption for *Teretina tribus*) a flumine Terede dicti existimantur et syllaba eius tertia mutata, et pro Terede Teram scribi debuisse.

[37] *Rh. Mus.* 12 (1857) 467–69. The ancient name of the Sacco is given only by Strabo 5. 237, who calls it the Τρῆρος. The connection with the Terede of Festus is, of course, uncertain. Kubitschek, *Orig* 23, would place the original tribe near Interamna Lirenas.

[38] *RG* 33, 417, 585 f. See his map of central Italy in 298 B.C.

runci or Ausones, a people said to have had wide dominion at an earlier time. According to Livy, they were destroyed in 314 for making common cause with the Samnites.[39] One of their towns, Aurunca or Ausona, became the site of the large Latin colony Suessa Aurunca, founded in 313.[40] Another, Minturnae, became the site of a maritime citizen colony, founded in 296, three years after the Teretina was established, and it was placed in that tribe. The third town of this people (there seem to have been only three at that time), Vescia, provided the land for a second citizen colony, Sinuessa, also founded in 296 and also, it seems, placed in the Teretina.[41] It was hard to persuade citizens to settle in the new colonies (Livy 10. 21. 7–10), and probably also in the land in the vicinity, and it seems likely that some of the native population survived and acquired citizenship and land.[42] It is possible that the Latin colony Interamna Lirenas (founded in 312), as well as Suessa, was on land taken from the Aurunci. It was placed in the Teretina after the Social War, when the elevation of Casinum, Atina, Allifae, and Venafrum to full citizenship had already given the Teretina a large continuous area.[43]

There seems then good reason to believe that the Teretina was established not in the valley of the Sacco, where it left no traces, but in the coastal territory of the Aurunci, conquered fifteen years before

[39] On this people with whom Rome came into conflict in 345 (Livy 7. 28. 1), see Huelsen, s. v. "Aurunci" and "Ausones," *RE*; Nissen, *ItLdk* 2. 656–67; J. Johnson, s.v. "Minturnae," *RE*, supp. 7, col. 465; Heurgon, *Capoue* 42–46. Their territory was later reduced to a coastal strip. Livy, 9. 25, tells the story of the betrayal of the Ausones by twelve *principes iuventutis*, and the simultaneous capture of their three towns. Cf. § 9: *nullus modus caedibus fuit deletaque Ausonum gens*. The establishment of Latin and citizen colonies, the latter, of course, very small, proves that land was confiscated in the region.

[40] When Suessa received citizenship after the Social War, it was placed in the Aemilia, the tribe of neighboring Formiae.

[41] Sinuessa, according to Livy 10. 21. 8, was in saltu Vescino, Falernum contingente agrum, ubi Sinope dicitur Graeca urbs fuisse, Sinuessa deinde ab colonis Romanis appellata. The tribe of Sinuessa, not given by Mommsen in *CIL* 10, is listed by Kubitschek, *IRTD* 30 f., with two question marks as the Teretina. But a *duumvir* of Sinuessa in this tribe (10. 4727, from Forum Popili) and the occurrence of the tribe in one of the few inscriptions discovered on the site (10. 4739) make the assignment to the Teretina likely.

[42] This is more probable if the story that the towns fell because they were betrayed by citizens is to be credited. The Romans usually rewarded such assistance. J. Johnson, *Excavations at Minturnae* 1 (Philadelphia 1935) 1 f., detected remains of the original *oppidum* on the site of Minturnae. See also *RE*, Suppl. 7, col. 466 f.

[43] These towns may have been included in the old widely extended power of the Aurunci.

the tribe was founded. The two citizen colonies on sites of towns of the Aurunci, which were placed in the Teretina three years after the tribe was founded, support the suggestion. The river Teres (?) mentioned by Festus cannot be identified, but there are many streams in the region.[44]

Twelve new tribes had been established in ninety years, six of them within a period of thirty-three years. There was an interval of fifty-eight years before the next tribes, the Quirina and the Velina, were created in 241.[45] The Quirina became the tribe of most of the Sabine territory and of a part of the Vestini, the former, and perhaps the latter also, conquered by M'. Curius Dentatus in 290.[46] The Velina was established in the territory of the Praetuttii on the Adriatic, also a part of Curius' great conquest,[47] and became the tribe of most of adjoining Picenum, subjugated in 268.

The Sabine territory captured by Curius was already protected by the Latin colonies, Alba Fucens and Carsioli, on land taken from the Aequi, and by Narnia (299) in South Umbria. A small citizen colony, Castrum Novum, and the large Latin colony Hatria, the latter established in 289, guarded the territory won from the Praetuttii. The wide stretches conquered by Curius, according to Beloch's estimate, added about fifty per cent to Roman territory.[48] There was doubtless a good deal of *ager publicus* in the district, and there were extensive

[44] The Liris was also known as the Clanis. The Teres may have been a tributary of the Liris, perhaps the torrente above Minturnae, or it may have been the stream which flows into the sea to the south below Suessa Aurunca, close to the site of Sinuessa. The courses and flow of streams in this well-watered region have been altered by ancient and modern canals.

[45] Livy, *Per.* 19: *Duae tribus adiectae sunt, Velina et Quirina.* There were censors in this year. See *MRR.* On the origin of the name Quirina, see Festus 304 L: *Quirina tribus a Curensibus Sabinis appellationem videtur traxisse.*

[46] The conquest of a part of the Vestini is attributed to Curius by Beloch, *RG* 597 f., but see Bernhardi, *Cives s.s.* 260 f., who holds that a section of the Vestini was incorporated in Roman territory in 303, when Livy (10. 3. 1) records a *foedus* with the Vestini.

[47] On the extent of Curius' conquests, see Florus 1. 10: omnem eum tractum qua Nar, Anio, fontes Velini, Hadriano tenus mari igni ferroque vastavit. Cf. Beloch, *RG* 429 f. Since Curius' victories reached the Adriatic, and since a Latin colony was placed at Hatria in 289 and a citizen colony at Castrum Novum about the same time, there can be no doubt that the Praetuttii were subjugated. Cf. also De Sanctis, *StR* 2. 364 f.; Forni, *Curius* 197, with n. 2. It is strange that M. Hofmann, in his detailed article on "Praetuttiana Regio," *RE* (1954), does not mention Curius.

[48] *RG* 620, where the estimates before and after the conquest are 7512 and 13,552 sq. km.

viritane assignments of land in large plots, seven *iugera*.[49] The widespread survival of Sabine names in the inscriptions of the region shows that the natives were not, as has been held, largely exterminated, but that many survived and acquired citizenship.[50]

The Sabines who got citizenship in the Quirina have been identified with the Sabines who, according to Velleius (1. 14), were given citizenship without the vote in the year of Curius' conquest, and full citizenship in the year 268. But there is no parallel in the institution of new tribes for the enfranchisement of a large region, and there is, as we shall see later, reason to believe that the Sabines were not all full citizens in 225 B.C. Moreover, the speed of the award of partial rights, and the delay of twenty-seven years between the grant of full citizenship and the organization of the tribe are both puzzling. To solve the puzzle, Adam Afzelius suggested that the Sabines of whom Velleius speaks were not the people later in the Quirina, but the old Sabines of the Tiber valley, the peoples of Cures and Trebula Mutuesca, who were registered in the Sergia.[51]

Before reading Afzelius' little known work, where he presents no evidence in support of his suggestion, I had already reached the conclusion that the Sabines of Velleius were the people of Cures. Velleius' statements on the Sabines occur in the excursus (1. 14–15) in which he lists with dates the colonies founded after the sack of Rome by the Gauls, and includes with the colonies details on " extension of citizenship and the growth of the Roman name resulting from sharing Roman rights with others."[52] The list of colonies, with no distinction between citizen and Latin colonies, is interrupted by the following notes with dates (consular dates or dates of censors are indicated with an asterisk) on extension of citizenship:

340? Aricini in civitatem recepti
334* Campanis data est civitas partique Samnitium sine suffragio

[49] On the assignments of seven *iugera* per man, sometimes combined with the statement that Curius was offered fifty *iugera* and refused it, see Val. Max. 4. 3. 5; Colum. 1, praef. 14; 1. 3. 10; Pliny, *N.H.* 18. 18; Frontin. *Strat.* 4. 3. 12; for fourteen *iugera* per man, see *De vir. illustr.* 33. 6.

[50] Tenney Frank, *Klio* 11 (1911) 367 ff., rejects the tradition of large land grants in the region, holding that the details are inventions of encomiastic biographies of Curius. But see, in defense of the tradition, G. Forni, *Curius* 198. He agrees with Frank in opposing Mommsen's view (*CIL* 9, p. 396) that the native population was largely exterminated.

[51] *Die römische Eroberung Italiens 340–264 B.C.* (Copenhagen 1942) 21–25. The suggestions he makes, p. 23, n. 2, are untenable.

[52] 1. 14. 1: Huic rei per idem tempus civitates propagatas auctumque Romanum nomen communione iuris haud intempestive subtexturi videmur.

333–32 (with the inaccurate statement that Alexandria was founded then) Fundani et Formiani in civitatem recepti
332* Acerranis data civitas
290* Sabinis sine suffragio data civitas
268* suffragii ferendi ius Sabinis datum

Livy is not the source of this account, for he reports many more awards and includes the institution of new rural tribes which Velleius omits.[53] Moreover, Livy's dates for colonies as well as for awards of citizenship often differ from Velleius. The divergencies are particularly striking in the report of the settlements after the Latin War. Livy (8. 14) puts under 338 the awards which Velleius lists under 340, 334, and 333–32, and includes in his discussion a full account of the status given the Latins, of whom Velleius mentions only the Aricini.

It is clear that Velleius is concentrating on individual peoples and not on large ethnic groups.[54] His method suggests that the Sabini were a specific group of the Sabine people. The term Sabini is used both generically to describe the peoples of the central Apennines and specifically as the ethnicon of a particular Sabine people, the inhabitants of Cures. The official name of the town, Cures Sabini, like other similar Italic double names, records the people who dwelt in the territory.[55] Cures lay in the east Tiber valley on the old line of the Via Salaria, along which the Sabines came down to the river's mouth to secure salt, and the connections with Rome through that road were ancient. From Cures were said to have come Titus Tatius and Numa Pompilius; to Cures was assigned the origin of the god Quirinus, of the name of the collis Quirinalis, and of the term Quirites as a name of the Roman people. The Romans regarded Cures as the old metropolis of the Sabine region.[56] The Curenses in Roman eyes were the Sabines proper, the *veteres Sabini* of Ovid (*Fasti*

[53] For the possible sources of Velleius here and for interesting comments on the latter part of his list, see E.T. Salmon, *Colonization* 1, 48, n. 8. For the suggestion that Velleius 1. 14. 2–8 comes from Cato's *Origines*, see H. Kasten, *Phil. Woch.* 54 (1934) 671.

[54] Thus he evidently has specific peoples in mind when he speaks of *pars Samnitium*. Their identity is uncertain. Mommsen, *CIL* 10, p. 471, suggested the Sidicini; De Sanctis, *StR* 2. 286, n. 2, the Suessulani and the Cumani, both once under Samnite power, and both, according to Livy (8. 14. 11), granted *civitas sine suffragio* in 338. See also Bernardi, *Cives s.s.* 254, n. 3. I am inclined to accept De Sanctis' suggestion.

[55] *CIL* 9. 4958, 4962–63, 4968–70, 4973, 4977.

[56] Festus 43 L; Dion. 2. 36 3; cf. Livy 1. 18. 1; Cic. *R.P.* 2. 25. Varro, objecting, no doubt, to the primacy claimed for Cures, had a story that Cures was founded by colonists from the territory of his native Reate. See Dion. 2. 48.

6. 217). Prodigies reported *in Sabinis* seem to belong to Cures,[57] and the town's *ager* is the *ager Sabinus*. That is clear from Cicero's description of the land beyond the Porta Collina as *Capenas, Faliscus, Sabinus ager, Reatinus*.[58] Speaking of a man with the *cognomen* Sabinus, Cicero professes to detect in his countenance and speech something of the quality of Cures.[59] In listing the voters in the Sergia, tribe of Cures and Trebula Mutuesca, Cicero mentions *severissimi homines Sabini*.[60]

The character of Velleius' list, with emphasis on individual peoples and not on large ethnic groups or on tribes, and the constant use of the term Sabini for the people who called themselves Curenses Sabini convince me that the Sabini of Velleius, who got partial citizenship in 290 and the vote in 268, are the people of Cures. I would identify the Curenses with the Sabini whose early award of citizenship is mentioned by Livy.[61] The neighboring Trebula Mutuesca on the Via Salaria, like Cures, placed in the Sergia, probably acquired citizenship slightly later.

The territory of Cures, in which Rome later possessed *ager publicus*, was, as Beloch suggested,[62] probably acquired before the conquests of

[57] Livy 22. 36. 7; 24. 10. 9; 31. 12. 6, all identified with Cures by Mommsen, *CIL* 9, pp. 396, 471 f. Prodigies are reported from Reate, Amiternum, Nursia, and Trebula Mutuesca, but never from Cures by name.

[58] Cic. *Leg. agr.* 2. 66 (see n. 62 below); cf. *Lib. col.*, p. 253, Lachmann, *Curium Sabinorum ager*, a passage from which it is clear (see Mommsen, *CIL* 9, p. 396) that the *Sabinorum ager* of Siculus Flaccus, *Corp. agrimens.* p. 100, Thulin, also means the territory, of Cures. *Sabinus ager* and *Sabini*, as used by Varro of Reate, regularly have a wider meaning. On *Sabinusque omnis ager* of Livy 28. 45. 19, see n. 69 below.

[59] *Fam.* 15. 20. 1: Oratorem meum . . . Sabino tuo commendavi. Natio me hominis impulit ut ei recte putarem . . . modestus eius voltus sermoque constans habere quiddam a Curibus videbatur. On the passage, see below, Chap. 12, with n. 36.

[60] Cic. *Vat.* 36, discussed above, in Chap. 3. Mommsen, *CIL* 9, p. 396, n. 1, mistook the meaning of the passage, partly because he did not at the time have the evidence for the tribe of Cures. See his subsequent note, *Hermes* 21 (1886) 581, and Kubitschek, *IRTD* 55. Mommsen was also mistaken about the tribe of Trebula Mutuesca. See *CIL* 9, p. 464, with two incorrect references for the Fabia as the tribe.

[61] Livy 40. 46. 11–12: ex infestis hostibus plerumque socii fideles, interdum etiam cives fiunt. Albani diruta Alba Romam traducti sunt, Latini, Sabini in civitatem accepti. See Mommsen, *CIL* 9, p. 472 (cf. p. 396), who suggests that the passage refers particularly to Cures. See also Cic. *Off.* 1. 35; *Balb.* 31.

[62] See Beloch, *RG* 425 f. The text of Siculus Flaccus, p. 100 Thulin, indicates that Cures became Roman territory, and that part of it was confis-

Curius. It would have been needed to protect the approaches to Nequinum in South Umbria, captured in 299 and made the site of the Latin colony Narnia in the same year. The award of partial rights to Cures in 290 may have been designed to secure the quiescence of the local population during Curius' war. When in 268 these Sabines were granted full rights, the tribe in which they were enrolled, the Sergia, became perhaps the first old rural tribe with a divided territory. These divisions will be discussed in Chapter 7.

The two tribes instituted in 241 then have nothing to do with the award of partial and then full rights to the Sabines, recorded by Velleius. That award went to Cures Sabini.

It has often been noted that the names of the two tribes established in 241 are not adapted to the regions. The Velina, which bears the name of the Lacus Velinus near Reate, should have been in that region and not in the country of the Praetuttii and Piceni. The Quirina, which Festus (304 L) associates in origin with Cures, should have been the tribe of that town, which had already been enrolled in the Sergia, and not of Reate, Amiternum, and Nursia. I conclude that the names of the tribes were selected when a different plan for their location was in view.

My suggestion is that the names were chosen by Curius Dentatus. Perhaps before he settled citizens in the territory, he sponsored a great engineering work under which the waters of the Lacus Velinus were drained into the Nar.[63] The work made a lasting contribution to the fertility of the region about Reate, and proved to be disastrous for people on the Nar. The name Quirina, I believe, honored not only Cures, but also Curius himself, whose *nomen*, though it cannot be derived from Cures, also has a short u. Curius perhaps used a pop-

cated before Reate was annexed, Although the source is unreliable, Cicero's reference to the *Sabinus ager* (n. 58 above) shows that there was *ager publicus* in the region. Beloch's effort (426–34) to show that Curius' triumphs over Samnites and Sabines in 290 (see Livy, *Per.* 11; Cic., *Sen.* 55; Apul. *Apol.* 17) celebrated victories won only over Sabines is not convincing. See De Sanctis, *StR* 2. 363, n. 4; Adcock, *CAH* 7. 615 f.

[63] Cic. *Att.* 4. 15. 5: Reatini me ad sua τέμπη duxerunt ut agerem causam contra Interamnatis apud consulem et decem legatos, quod lacus Velinus a M.' Curio emissus interciso monte in Nar defluit; ex quo est illa siccata et umida tamen modice Rosia. Cf. Serv. on *Aen.* 7. 712; Tac. *Ann.* 1. 79. See Gerhard Radke, s.v. " Velinus, " *RE*, with a comment on *in Piceno lacu Velino* of Pliny, *N.H.* 2. 226, which led Beloch and other scholars to believe that there was a lacus Velinus in Picenum. See also Afzelius, *op. cit.* 23 f. Since Varro (quoted by Servius, *l.c.*) says that the work was carried out *a quodam consule*, Forni, *Curius* 224, holds that it should not be associated with Curius' censorship in 272. For the difficulties Curius' work has continued to cause in modern times, see the bibliography cited by Forni, 226, n. 1.

ular etymology to support a claim that his family was derived from Cures. *Sabinis oriundus videtur*,[64] says a late scholiast.

The delay in the establishment of the two tribes may reflect the life-long struggle of the new man Curius with the old nobility. When he finally became censor in 272, he probably planned to organize the new tribes, with territory in the vicinity of Cures in the Quirina, and territory about Reate in the Velina. The tribes, I would suggest, had already been provided for by a law, but their establishment would have been prevented by the death of Curius' colleague, which caused him to lay down his office. Curius died two years later, and the next censors of 269–68 made a different arrangement for Cures, placing it with full citizenship in the Sergia. The two tribes, in a region where many Roman citizens must already have received allotments, awaited organization until after the First Punic War was over.[65]

The Velina and the Quirina were then assigned in 241 to regions which their names did not fit. The Quirina with its Sabine connections was placed in a Sabine region that included Lacus Velinus, and the Velina was established on the Adriatic far away from the lake, presumably at first in the territory of the Praetuttii. The extension of the tribe to Picenum is, I believe, to be attributed to assignments to citizens under C. Flaminius' law of 232.[66]

The identification of the Sabines who got full citizenship in 268 with the people of Cures has bearing both on the character of the new

[64] *Schol. Bob.* on Cic. *pro Sull.* p. 80 Stangl. See Münzer, *RA*, 61 f. where, reversing his view, s.v. "Curius" 9, *RE*, he suggests that there is something in the report. But see Forni, *Curius* 183–87. See Curius, Chap. 13 below, for the suggestion that he came from Nomentum. Curius had a farm in Sabine territory, near the property of the elder Cato (cf. Plut. *Cat. mai.* 2. 1; Cic. *R.P.* 3. 40; *Sen.* 55. See Forni, *Curius*, 173 ff., 183 ff.). There is no evidence for the site of Curius' land. On Curius' struggles with the nobility, see Appian, *Samn.* 5. Cf. Fraccaro, *OrgPol* 202 f.

[65] It has often been suggested that the name Quirina for the last tribe was chosen as an indication that this was the last of the tribes of the *populus Romanus Quiritium*. See Mommsen, *RSt* 3. 172, n. 9. Some scholars have pointed out that, like Romilia, the first tribe in the *ordo tribuum*, the word suggested Romulus. But with my explanation of the name I reject the suggestion.

[66] For the view that the Velina was originally in the Praetuttii, see Kubitschek, *Orig.* 53, n. 169. C. Flaminius land law of 232 is described by Cicero (*Brut.* 57, cf. *Sen.* 11) as *lex de agro Gallico et Piceno viritim dividundo*. The general opinion is that the land was all north of the Aesis; for the description of this region as Picene, see Livy, *Per.* 15 and Polyb. 2.21.7, with Walbank's note. But I agree with De Sanctis, *StR* 3.1. 333, n. 184, that the use of the two adjectives in the title of the law means that the allotments were also in Picenum. The region, conquered in 268, was protected by the Latin colony Firmum, established in 264.

tribes instituted in 241 and on the fate of the native population, particulary in Sabine territory. It is no longer necessary to assume, as scholars regularly have done, that these tribes were far larger than the rural tribes established earlier and that they consisted of scattered parcels of land. The Quirina may have been limited to the best land in the region, that near Reate, reclaimed by Curius' drainage, and the Velina may have had all its original territory in the *ager Praetuttianus*.

The native peoples in the regions of the two tribes were not exterminated. They were probably settled on the less fruitful mountainous land. They may well have gone through a stage of citizenship without the vote. There is an indication that Sabines—here, of course, not the Curenses—did not have full citizenship in 225, for their contingents are mentioned separately by Polybius (2. 27) in his listing of Roman forces in that year. Mommsen notes that the inclusion here of Sabine horsemen and infantry with the Etruscans—most of whom were allies—is " auffallend " and concludes that at that time divisions were not called out according to their political status.[67] But that conclusion is unnecessary if the Sabines still lacked full citizenship, for *cives sine suffragio* apparently served in their own units.[68] It is possible also that the Sabines were not yet full citizens in 205 when they promised soldiers to Scipio for the expedition to Africa. Umbriae populi et praeter hos Nursini et Reatini et Amiternini Sabinusque omnis ager milites polliciti, Livy says (28. 45. 19) in a discussion that lists contributions mainly from allies.[69] Most of the communities of the

[67] See *RSt* 3. 575, n. 2. The explanation is accepted by Walbank in his note on Polybius 2. 24.

[68] According to Festus (Paulus) 117 L, *cives sine suffragio* served in the legions, but, as Mommsen points out (*RSt* 3. 586 f.), since they were not in the tribes, their service could not have been handled through the levy of full citizens which was dependent on the division into classes. There must have been special lists for *c.s.s.* and a special form of service. Polybius, 2. 24. 4–5, is obviously mistaken when he mentions the Sabines among the allies, but he may provide evidence that at this time they had their own units, attested only for the Campani among *c.s.s.* The evidence is abundant for the upper classes of the Campani who served as *equites*. The Campanian footsoldiers who garrisoned Rhegium in the war with Pyrrhus are referred to as *legio Campana* in Livy, *Per.* 12 and 15, and the force is described as *octava legio* by Orosius 4. 3. 4. Whether it was properly a *legio* is uncertain. It consisted, according to Dionysius 20. 4. 2, of 800 Campani and 400 Sidicini. For full discussion, see Heurgon, *Capoue* 200–209, esp. 206 where the garrison is described as " un corps de francs-tireurs. "

[69] The *Sabinus omnis ager* here could refer to the Curenses, who were surely full citizens, but Mommsen (*CIL* 9, p. 471) held that it did not. The only other citizens in the group which contributed to Scipio are the Caerites, and they may still have been *cives sine suffragio* at the time. See Chap. 7 below, with n. 28.

Sabini, the Vestini, and the Piceni, the last-named largely settled with citizens under C. Flaminius' law, were eventually *praefecturae*, under the jurisdiction of a praetor's deputy, and the term is a clear indication that full citizenship was acquired before the Social War.[70]

Beloch's view that new tribes were primarily for old citizens, who were given viritane assignments,[71] receives support from the evidence that the Sabini of Velleius were the people of Cures, not the Sabini who later voted in the Quirina. This view does not accord with the statements of Livy that the four Veientane tribes and the Maecia and the Scaptia were for *novi cives*. But Livy also records extensive assignments to old citizens in Veientane territory and on land of the faithless senators from Velitrae, the site of the Scaptia. He may be right about the Maecia in which a Latin people, the Lanuvini, were perhaps immediately enrolled with a nucleus of citizens in viritane assignments. It is to be noted that for the Pomptina, the Oufentina, the Falerna, and the Teretina, the emphasis in Livy's narrative is on the assignment of territory to old citizens. The plebs were eager for the Pomptine land long before the tribe was instituted. The Falernian territory far away from Rome was parcelled out in larger assignments than the nearer land, and it was a long time before settlements were large enough to justify the organization of the tribe. In the Teretina there was difficulty in enrolling even the small garrisons of 300 for each of the two citizen colonies. There may have been a similar difficulty with the Quirina and particularly the Velina, made up of land that was far away from Rome. Among the men who voted in the new tribes were, as we shall see later, a number of branches of patrician and old plebeian nobility, who doubtless shared in the land assignment. There must also have been men of lower rank, though many of them doubtless preferred the comparative safety and the larger allotments provided by registration in the Latin colonies that were regularly instituted with the new tribes.

But there were undoubtedly new citizens in all the new tribes, largely perhaps men like the deserters from the Veientes, the Falisci, and the Capenates, who were rewarded for faithfulness to Rome by grants of citizenship and of land. There must have been natives to fill the empty spaces in the Falerna and the Teretina.[72] It is likely that

[70] Reate, Amiternum, and Nursia among the Sabines, Aveia and Peltuinum among the Vestini, and a number of towns in Picenum, perhaps not settled until after 232, were *praefecturae*. For the evidence, see the two overlapping articles of W. Ensslin and E. Sachers, *RE* 22. 2 (1954) under *praefectus iure dicundo*, 1309–23 and 2378–91.

[71] See *ItBd* and *RG*, *passim*.

[72] Note the combination of old and new citizens in the colony of Antium, established in 338 Livy 8. 14. 8: Et Antium nova colonia missa, cum eo

new citizens, enrolled largely from former inhabitants of the region, increased steadily in the tribes. The possibility that the freedmen, whom some members of the nobility wished to register in the rural tribes, came from the old inhabitants of tribal territory will be considered in Chapter 10.

The ethnic character[73] that some of the newer rural tribes acquired is indicative of the increasing strength of native elements. If I am right in my location for the Poblilia, the Maecia, and the Teretina, all the tribes instituted in 387 and in later years survived in the regions where they were originally placed, and most them were extended. Several of them became associated with ethnic groups. Thus the Veientane tribes were assigned to various Etruscan communities. The Poblilia became the tribe of the Hernicans, the Pomptina and the Oufentina of the Volscians, the Teretina of the Aurunci, the Falerna of the Campanians, the Quirina of most of the Sabines and of the Vestini, the Velina of the Praetuttii and the Piceni.

But the predominant influence at first was no doubt the old citizens and the members of the nobility who received land assignments in the new tribes. That is why, as Afzelius has cogently set forth, the creation of new tribes was advantageous for the old citizen[74]. If men settled, for instance, in the distant *ager Falernus* had had a vote in the Aemilia or the Camilia, they would have had small representation in the comitia in comparison with their less numerous fellow-tribesmen in the Roman campagna, who would much more readily have left their farms for the brief journey to the capital. The creation of new tribes gave the members great influence in the assemblies, for the small group of voters sent could count as much as the larger groups from the Roman countryside. New tribes lured old citizens to take up distant allotments. On the other hand, except for the Tusculani whose case will be considered in the last chapter, new citizens put in old rural tribes did not secure great advantages in the assemblies.

A new role in voting was acquired by the tribes when the centuriate assembly was reorganized soon after the last two tribes were added. I would date the reorganization in the censorship of 241, when the Velina and the Quirina were instituted.[75] In the old assembly the influential centuries of the first class had been mixed groups from all

ut Antiatibus permitteretur, si et ipsi adscribi coloni vellent. On the Voturia as the most likely original tribe of Antium, see Appendix.

[73] Ethnic names had been used only for the Clustumina, the Scaptia, and perhaps the Pomptina, and all of them were taken from people who had disappeared.

[74] *Op. cit.*, (above, n. 51) 15–33. This is essentially the view of Beloch.

[75] For full discussion, see my *ComCent* and Chap. 16 below.

the tribes, probably with larger representation from the new tribes, where farmers who met the property qualifications of the first class must have been more numerous. After the reform, each century of the first class belonged to a single tribe, and the old rural tribes, with smaller numbers of members, counted as much in the vote as the new ones. The result was that the nobility had more power over the vote of the centuriate assembly.

The complicated structure of the centuriate assembly probably explains the fact that no new tribes were ever added, or, except after the Social War, even proposed. There was a large assignment to citizens in 232, carried out under C. Flaminius' *lex de agro Gallico et Piceno viritim dividundo*, but the land was added to existing tribes.

The established sites of the later rural tribes and the new suggestions in this chapter on the original location of certain tribes are indicated on the accompanying map. The new suggestions are as follows: 1) The Poblilia was not close to the Pomptina, but was on land captured from the Hernici, perhaps the territory later made into the *municipium Ager Hernicus*. 2) The Teretina was not on territory taken from Frusino, land later in the Oufentina, but in the territory of the Aurunci, on the coast below Formiae. 3) The Quirina and the Velina were not the entire district of Sabine and Picene territory, but were smaller units, the Quirina perhaps on reclaimed land near Reate; the Velina, probably in the territory of the Praetuttii, on the Adriatic. In addition, I have followed Mommsen, rejecting Beloch's generally accepted view, and have placed the Scaptia in the territory of Velitrae. These new locations have bearing on the order of the rural tribes, to be considered in the next chapter.

CHAPTER 6

THE OFFICIAL ORDER OF THE URBAN AND RURAL TRIBES

There was an established order of the tribes which was followed in the census and in the official lists of the citizens by tribes.[1] We know of its existence only from an oration of 63 B.C. in which Cicero charges that a tribune of the plebs had disregarded the *ordo tribuum* in listing citizens who would receive land under an agrarian bill (*Leg. agr.* 2. 79): Quaesivi ex eo Kalendis Ianuariis quibus hominibus et quem ad modum illum agrum esset distributurus. Respondit a Romilia tribu se initium esse facturum. Primum quae est ista superbia et contumelia ut populi pars amputetur, ordo tribuum neglegatur, ante rusticis detur ager, qui habent, quam urbanis, quibus ista agri spes et iucunditas ostenditur? Aut si hoc a se dictum negat et satis facere omnibus vobis cogitat, proferat; in iugera dena discribat, a Suburana usque ad Arniensem nomina vestra proponat.

Evidently the urban tribes, which the tribune had omitted, came first in the official order, and the Suburana headed the list. The rural tribes followed, with the Arnensis last on the list and the Romilia, with which the tribune proposed to begin his distribution, first. Confirmation for the position of the Romilia is found in Varro who, after naming the four urban tribes (*L.L.* 5. 56), adds *quinta, quod sub Roma, Romilia.* If the two rural tribes, Romilia, Voltinia, whose names are preserved on an imperial inscription, are in the official order, the Voltinia was the second of the rural tribes.[2] Further evidence on that order, provided by lists in Festus and Livy, will be considered later.

But first we must determine the order in which the other three urban tribes followed the Suburana. Immediately before mentioning the Romilia as the fifth tribe, Varro names the four urban tribes as follows: Suburana Palatina Esquilina Collina, and that is the order found in Festus (506 L) under *Urbanas tribus.* But in the account of the twenty-seven shrines of the Argei of the four regions, Varro

[1] The discussion of the order of the urban tribes here is based on my *UrbTr,* with addition of details on the views of early nineteenth century Roman topographers. The brief discussion of the rural tribes in my paper has been amended and expanded, with new evidence resulting from my location of the rural tribes. The view presented here that the order of the tribes was determined by the census is new.

[2] *CIL* 6. 10211. See Chap. 4 with n. 33, where I have assumed that the order of the rural tribes was counter-clockwise.

(*L.L.* 5. 45) gives numbers to the regions in the following order: prima scripta est regio Suburana, secunda Esquilina, tertia Collina, quarta Palatina. The numbers are repeated for Regions 2, 3, and 4 in Varro's notes (*L.L.* 5. 49, 51, 53) on the position of the shrines. The account, presenting a counter-clockwise circuit of the city, with counter-clockwise arrangement of the shrines in the regions, is generally believed to be a description of a procession to the shrines of the Argei. The only other listing of the four tribes which opens with the Suburana [3] is Pliny's (*N.H.* 18. 13), Suburana, Palatina, Collina, Esquilina, where the order is clockwise. The Suburana is placed before the Esquilina in the *Tabula Hebana* (lines 23, 32–33), a law of 19 A.D. providing for a special assembly from which these tribes were excluded.

Varro's numbering of the four regions in *L.L.* 5. 45 was accepted as the order and the numbering of the Servian regions or tribes by topographers of the first half of the nineteenth century. A similar order, Bunsen noted, was adopted in the enlarged city of the fourteen Augustan regions.[4] There Regions 2 (Caelimontium), 3 (Isis et Serapis), and 4 (Templum Pacis) corresponded roughly to the Suburana, Region 5 (Esquiliae) corresponded to the Esquilina, 6 (Alta Semita) to the Collina, and the tenth region, like the Servian fourth, was the Palatina.

But the order of *L.L.* 5. 56 and of Festus, Suburana, Palatina, Esquilina, Collina, was preferred as the official arrangement by Mommsen, who held that it was based on or resulted in a ranking of the tribes according to respectability.[5] Mommsen's view was that, while in the empire the Palatina and the Collina were undoubtedly the most respectable urban tribes, the Suburana and the Palatina, in that order, were the most highly regarded in the republic. Although Kubitschek rejected ranking as the basis of the arrangement, and explained by

[3] The regions are also numbered by Dionysius 4. 14 as 1) Palatina, 2) Suburana, 3) Collina, 4) Esquilina. See also Livy, *Per.* 20, Esquilina, Palatina, Suburana, Collina, and *CIL* 6. 10211, discussed in Chapter 4 with n. 33. Since these lists do not begin with the Suburana, they evidently do not represent the official order.

[4] See C. Bunsen in Platner, Bunsen etc., *Die Beschreibung der Stadt Rom* 1 (Stuttgart 1830) 146 f., 688–70; vol. of Tabellen, part II, statistische Tabellen I (where the Servian Suburana is represented as including the Augustan regions 1 to 4). Cf. L. Preller, *Die Regionen der Stadt Rom* (Jena 1846) 68. The order of the regions in Varro, *L.L.* 5. 45, is accepted by Nardini–Nibby, *Roma Antica* 1 (1818) 118–24, but is not related to the Augustan regions. See also W.A. Becker, *Handbuch der röm. Altertümer* 1 (Leipzig 1843) 127–29, 170.

[5] *RSt* 3. 164, cf. 174. This view of the order was presented in Mommsen's early monograph, *Die röm. Tribus in administrativer Beziehing* (Altona 1844) 100, n. 78. Mommsen cites Cicero, *Mil.* 25, to show that the Collina was the worst tribe. On that passage, see Chap. 10, n. 50.

a complicated system of orientation[6] the order of Varro, *L.L.* 5. 56, which he accepted, Mommsen's view has prevailed among topographers, who have followed Jordan in discarding earlier suggestions for the coordination of Augustan and Servian regions.[7]

But the recent discovery of the *Tabula Hebana*, with the evidence it provides for the exclusion of the Suburana with the Esquilina from a special tribal assembly of knights and senators created in 5 A.D., proves that the Suburana was an inferior tribe in the Augustan Age. The inferiority must go back to the republic, and it is reflected in the dearth of names in the Suburana in republican inscriptions, as contrasted with the names in the Palatina and the Collina, which include senators and, in the Palatina, patricians.[8] There is clear evidence against the superiority of the Suburana in the republic.

If the order of the urban tribes had nothing to do with the ranking of the tribes, there is reason to return to the view of earlier topographers, and to accept the order in which Varro numbers the regions in *L.L.* 5. 45. That the tribes had numbers is shown by Varro's reference to the Romilia as the fifth tribe, and by a *secunda tribus* mentioned by Columella.[9] Varro's numbering comes from an account of a religious procession which at Rome, as generally elsewhere, regularly moved in counter-clockwise direction.[10] The order of the tribes was also, I believe, counter-clockwise.

This conclusion, if accepted, has bearing on Roman topographical questions. The Augustan regions, as earlier topographers held, were based on the sequence of the old Servian regions. Varro is our best source for the boundaries of these regions, and Richter's widely reproduced map of them, which discards some of the evidence of Varro, is not correct.[11] The regions were much more irregular in shape than Richter thought, and the Suburana, contrary to Richter's view, included the Subura.[12]

[6] *Orig* 51 ff.; see also the statement in his incomplete article "Tribus," *RE*, col. 2508 f.

[7] *Topog. d. Stadt Rom* 2 (Berlin 1871) 247 f.; 1. 1 (1878) 277, 318.

[8] See my *UrbTr* and Chap. 10 below, with n. 58; Chap. 15, with n. 16.

[9] 3. 2. 24, where a wine described as *iners* is said to be *in secunda quasi tribu*. The Esquilina, the second tribe in Varro's account of the Argei, was the worst tribe both in the republic and in the empire. On the Columella passage, see Mommsen, *RSt* 3. 164, n. 2.

[10] On the procession to the Argei, see Ovid, *Fasti* 3. 791 (March 17), *itur ad Argeos*; cf. Gell. 10. 15. 30, on the *flaminica, cum it ad Argeos*.

[11] *Topographie der Stadt Rom* (Munich 1901) 36.

[12] For criticism of Richter's map of the four regions, see von Gerkan, "Zum Suburaproblem," *Rh. Mus.* 96 (1953) 20–30, with map which is reproduced in my *UrbTr*. Richter places on the Caelian the problematical Succusa of Varro, *L.L.* 5. 48, and separates the Suburana, with its puzzling

As a perhaps significant parallel to the counter-clockwise order that I find in the four urban tribes, I would cite Kirsten's map of the city divisions—*trittyes*—of the ten Athenian *phylae* established by Kleisthenes. At Athens the exact order and the numbering of the *phylae* are fixed by abundant documentation, but the location of the *trittyes*, involved with the sites of the demes of which they were composed and with the extent of the city terrain, presents many difficulties. The suggestion of a topographical sequence in the city *trittyes*, first made by Dörpfeld, has been rejected more often than it has been accepted,[13] but it has been revived by Kirsten in the light of new evidence for the sites of various demes. His maps show a progression from the first *phyle* to the east of the Acropolis around the city to the north and west, with the last three *phylae* to the south and southeast, including successively Peiraeus in the 8th *phyle*, Phaleron in the 9th, and Alopeke in the 10th.[14]

abbreviation Suc., from the Subura. But there is not the slightest evidence for the location of Succusa on the Caelian. See Colini, *Storia e Topografia del Celio nell'Antichità* (Rome 1944) 21. The Subura was surely in the Regio Suburana and not, as Richter and Wissowa held, in the Collina.

[13] See Dörpfeld, *Ath. Mitt.* 20 (1895) 507; accepted by Judeich, *Topog. von Athen*, 1st ed. (Munich 1905), 159 ff., esp. 163; W. Aly, *Klio* 11 (1911) 17 ff., in whose view a topographical order of the *phylae* was related to the pre-Kleisthenic organization of the city. This order is questioned by W. Otto in the second edition of Judeich (1931) 170 (but see 175, where Judeich's earlier statement is retained). The maps of A.W. Gomme, *The Population of Athens in the Fifth and Fourth Centuries B.C.* (Oxford 1933) and of H. Hommel, *Klio* 33 (1940) 197 (superseding his earlier map. s.v. "Trittyes," *RE*) show departure from topographical order in the position of *phylae* 4 and 10. On *phyle* 4, see n. 14 below. The site of Alopeke, the only known city deme of *phyle* 10, whose position south of the Ilissus is indicated by Herodotus 5.63, is now fixed by the discovery of *SEG* 3. 115–17. Dörpfeld's earlier support of this site for Alopeke had led to his view of topographical sequence in the city *trittyes*.

[14] For Ernst Kirsten's location of the demes and the city, coast, and land *trittyes*, see his map, Westermann's *Atlas zur Weltgeschichte* (Berlin, Hamburg etc. 1956) 1. 13 (cf. 12). See his discussion with list of *phylae* and demes, "Der gegenwärtige Stand der attischen Demenforschung," *Atti del terzo congresso internazionale di epigrafia greca e latina* (Rome 1959) 155–71. For discussion of the deme Halimus in *phyle* 4, which he attributes to a land *trittys*, see 161. For explanation of the numbers on the map on Pl. XXVI, one must refer to Kirsten's supplements to the posthumous edition of A. Philippson's work, *Die griechischen Landschaften* 1. 3 (Frankfurt a. M. 1952) 1065–68. On the sites of the demes, see Kirsten's *Beiträge* there, 971–1048, unfortunately without index. See esp. for city *trittyes* 1040, n. 14. In conflict with counter-clockwise order is Kirsten's location of the city *trittus* of *phyle* 7 between *phylae* 8 and 10. I am not competent to enter into the discussion of Attic deme

To return to Rome and consider the rural tribes, the fact that the first and last, the Romilia and the Arnensis, were both on the right bank of the Tiber suggests that here too counter-clockwise orientation may have been the basis of the order. I have tried to show that the Romilia extended along the right bank toward the mouth. If the location is correct, the Arnensis, the most westerly of the four Veientane tribes, was to the north of it, and might well have been the end of a counter-clockwise circuit of Rome, opening with the Romilia.

There is further evidence for such an arrangement in lists of rural tribes given by Festus and Livy. Only under the letters P and S is a group of tribes treated together in the surviving text of Festus.[15] Under P (262–65 L), the order is Pomptina, Papiria, Pupinia, Poblilia, with omission of the Pollia; under S (464–65 L), Scaptia, Stellatina, Sabatina, with omission of the Sergia. Mommsen suggested that the order of the tribes under these two letters was taken from the official list, perhaps as it was preserved in Varro's lost work on the tribes.[16] Now it is striking that, according to the sites that I have proposed for these tribes, both these lists are in counter-clockwise order, based on orientation from Rome. The only question would concern the relative position of the Pupinia and the Poblilia, which I would place in line with each other from Rome.

According to my location of the fourteen latest rural tribes, Livy also, in his notices of the institutions of new tribes, lists them in counter-clockwise order in every case except one. The order, Stellatina, Tromentina, Sabatina, Arnensis, is particularly significant for the series of four Veientane tribes whose relative positions are definitely established. Livy's other listings are Pomptina Poblilia in 358, Maecia Scaptia in 332, Oufentina Falerna in 318, Aniensis Teretina in 299, and (here the source is the *Periochae*) Velina Quirina in 241.[17] The tribes of 299 are listed in clockwise order, but the others are all in counter-clockwise direction from Rome.

sites. I am indebted to Professor A. Raubitschek for calling my attention to Kirsten's studies. For the possibility that Kleisthenes' numbering of the *phylae* differed from that of the documents we possess, see Raubitschek, *AJA* 60 (1956) 280, n. 4.

[15] Thus, the Teretina and the Tromentina (498, 505 L) are treated independently by Festus.

[16] Mommsen, who did not accept orientation as the basis of the order of the tribes, is definite in his statement (*RSt* 3. 174) that these lists in Festus give the relative order of the tribes under P and S. His view is accepted by Cichorius, *UL* 337.

[17] The view of Kubitschek on the order of the rural tribes (*Orig* 53, especially n. 169, where Livy is cited) was apparently in accord with mine, and this was a subject that he intended to discuss more fully in his unfinished article "Tribus," *RE* (see col. 2508).

I would emphasize the fact that it was not until after I had located the tribes that I realized the significance of the order of names in Livy and Festus. The only effect these texts have on the position to which I assign the tribes is a strengthening of my view that the Pupinia was next to the Papiria, that the Poblilia was in the eastern territory of the Hernicans, and that the Velina, which preceded the Quirina, was originally in the Praetuttii, not in Picenum.

The official order of the rural tribes, omitting the Aemilia, for whose position I have found no valid evidence, would be something like this: Romilia, Voltinia, Voturia, Horatia, Maecia, Scaptia, Pomptina, Oufentina, Papiria, Teretina, Falerna, Lemonia, Pupinia, Poblilia, Menenia, Aniensis, Camilia, Claudia, Cornelia ?, Velina, Quirina, Sergia, Pollia, Clustumina, Stellatina, Fabia, Tromentina, Sabatina, Galeria, Arnensis.[18] This is the order shown on the map in Chapter 5.

What was the basis of the order of the tribes ? I believe it was the census for which the tribes were instituted in the first place. The tribe is repeatedly described as the unit in which the census was taken, and the one census in which tribes are specifically mentioned, the census of *equites equo publico* in 204, accords with the order of the tribes, for the examination of the *equites* in the Pollia preceded that in the last tribe in the official order, the Arnensis.[19] The census of the *pedites* took place under the open sky in the Campus Martius, and for it the *curatores omnium tribuum* were summoned with the citizens (Varro, *L.L.* 6. 86). One might think of the citizens drawn up by tribes, each tribe in a position corresponding to the location of the tribal area. The censors, after completing the census of the urban tribes, would make a circuit of the rural tribes, beginning with the Romilia and ending with the Arnensis. In the celebration of the *lustrum* which followed the census, the victims of the *suovetaurilia* would be driven in a similar counter-clockwise order three times around the *pedites*, drawn up on this occasion by centuries. That is the order of the *suovetaurilia* in representations on the column of Trajan.[20] The same order

[18] For tribes in approximately the same orientation from Rome, I have put first in each case the tribes nearer Rome. That is the arrangement of the Pupinia and the Poblilia in Festus' list.

[19] Livy 29. 37. This order is noted by Kubitschek, s. v. "Tribus," *RE*, col. 2508.

[20] On the census of the *pedites* in the Campus, and on the *lustrum*, see Mommsen, *RSt* 2^3. 412 f. Dionysius, 4. 22. 1, uses the word λόχος, his regular term for *centuria*, in describing the light-armed units, but his account shows some confusion between centuries and tribes. See my *ComCent* 342, n. 13. In that paper I argued that the census list of the classes was arranged by tribes. For representations of the *suovetaurilia* on Roman monuments, including the column of Trajan, see I. S. Ryberg, *Rites of the State Religion in Roman Art, MAAR* 22 (1955), figs. 52–61, with discussion, pp. 104–119.

would characterize religious processions, the march in the four urban tribes to the shrines of the Argei, described by Varro, and the *lustratio urbis*, in which the victims, again of the *souvetaurilia*, would be driven successively around the boundaries of the Suburana, the Esquilina, the Collina, the Palatina.[21]

There would be a similar order in the purification of the fields, the Ambarvalia, which took place every year apparently at the end of May. On that occasion the pontifices marched around the boundaries of the old *ager Romanus*, making sacrifices between the fifth and sixth milestone at a series of spots;[22] one of these spots was probably the grove of Dea Dia at the fifth milestone of the Via Campana, scene of the rites of the Arval Brethren. These boundaries were far older than the rural tribes, which were created after Roman territory had been extended some distance beyond the fifth milestone.[23] But it is possible that the Romilia owes its primacy among the tribes to the fact that the grove of the Arval Brethren, whose rites were almost certainly related to the Ambarvalia[24], was situated in that tribe, and was perhaps the starting point of the more ancient procession.

The expansion of Rome's *ager* at the end of the regal period seems to have had no effect on the route of the pontifices who continued to make their sacrifices at Rome's earlier boundary line. But a *supplicatio* is recorded in the tribes, and although in the sources the unit of the *lustratio* in the *ager* was the *pagus*, not the tribe, there may once have been a *lustratio* of the tribes.[25] Some of them were too far away to be accessible to officials of the state religion, and it is possible that spots in the same orientation from Rome were marked out in Latium for new tribes. The Romans, who could create enemy territory beside the temple of Bellona in Rome and Roman territory near a camp on alien land, liked such fictions. That would account for the curious appearance of the Falerna at Castrimoenium and perhaps of the Pomptina at Bovillae. The two towns, whose territory had been in Roman pos-

[21] On the *lustratio urbis*, see Servius on *Buc.* 3. 77; Festus 5 and 16 L; for a special celebration, Lucan 1. 592 ff. Cf. Wissowa, *RK*² 142.

[22] Strabo 5. 230; cf. Ovid, *Fasti* 2. 679–84.

[23] My statement, *UrbTr* 236, that this was the boundary of the oldest rural tribes is incorrect.

[24] The emendation *duodecim* for *duobus* is probably to be accepted in Paulus' note, 5 L: Ambarvales hostiae appellabantur, quae pro arvis a duobus fratribus sacrificabantur. See Wissowa, *RK* 561, n. 5 and his article, "Arvales Fratres," *RE*.

[25] A *supplicatio* in the tribes was carried out in 344 under a *dictator feriarum constituendarum* (Livy 7. 28. 8): non tribus tantum supplicatum ire placuit sed finitimos etiam populos ordoque iis quo quisque die supplicarent statutus. The passage suggests that such ceremonies were usual in the tribes. See also Appian, *Lib.* 135. On the *lustratio pagi*, see Wissowa, *RK*² 143, n. 2.

session since the end of the kingship, seem not to have acquired municipal organization until after the Social War.[26] It is striking that Castrimoenium and Bovillae are respectively in a direct line between Rome and the Falerna and the Pomptina, tribes instituted in the fourth century. On the principle of orientation which, as we shall see in the next chapter, determined the earliest divisions of the rural tribes, these spots in Latium may have been assigned to the two rural tribes and could have been included in a lustration of the *ager Romanus* which could not reach distant tribes.

The association of the tribes with the *lustrum* which followed the census and with the purification of the city and perhaps of the *ager* is not the only connection of the tribes with the state religion. For the urban tribe another connection is provided by the cult of the Lares Compitales which was perhaps related to the Argei.[27] In an account of the institution of the cult, Dionysius says that Servius ordered shrines to be erected by the inhabitants in all the *vici*; the shrines were dedicated to heroes (a frequent Greek equivalent of Lares [27 a]) and there were to be annual sacrifices. Slaves, not free men, were in charge of the sacrifices. Dionysius calls the annual festival the Compitalia and says that it was still being celebrated in his day, and that slaves were still the ministers of the cult.[28] The account of Dionysius is thought by some scholars to be a projection to earlier times of the Augustan organization of the cult of the Lares Augusti and the Genius of the

[26] For these towns as new municipalities after the Social War, see Beloch' *RG* 159, 162 f., 584. The Falerna is the tribe of a *decurio* of Castrimoenium (*CIL* 14. 2466, 31 A.D., 2468). This tribe also occurs at Bovillae (14. 2412), but perhaps better evidence there is supplied by an *archimimus* in the Pomptina who was elected a member of the *decuriones*, 2408. The Pomptina also occurs in 2422.

[27] For a dispassionate statement of the evidence on the relation of Argei and Lares (cf. Macrob. 1. 7. 34), see. Marquardt, *Röm. Staatsverwaltung* 3[3] (Leipzig 1885) 192 f.

[27 a] Significant new evidence for this meaning of Lar is provided by the inscription of about 300 B.C. recently found near Lavinium: Lare Aineia d. See the convincing interpretation of M. Guarducci, *Bull, Mus. Civiltà Rom.* 19. 3–13, published 1959 in *Bull. Com.* 76.

[28] 4. 14. 3–4: Ἔπειτα κατὰ πάντας ἐκέλευσε τοὺς στενωποὺς [ἱερὰ] ἐγκατασκευασθῆναι καλιάδας ὑπὸ τῶν γειτόνων ἥρωσι προνωπίοις καὶ θυσίας αὐτοῖς ἐνομοθέτησεν ἐπιτελεῖσθαι καθ' ἕκαστον ἐνιαυτὸν πελάνους εἰσφερούσης ἑκάστης οἰκίας. τοῖς δὲ τὰ περὶ τῶν γειτόνων ἱερὰ συντελοῦσιν ἐν τοῖς προνωπίοις οὐ τοὺς ἐλευθέρους, ἀλλὰ τοὺς δούλους ἔταξε παρεῖναί τε καὶ συνιερουργεῖν, ὡς κεχαρισμένης τοῖς ἥρωσι τῆς τῶν θεραπόντων ὑπηρεσίας· ἣν ἔτι καὶ καθ' ἡμᾶς ἑορτὴν ἄγοντες Ῥωμαῖοι διετέλουν ὀλίγαις ὕστερον ἡμέραις τῶν Κρονίων, σεμνὴν ἐν τοῖς πάνυ καὶ πολυτελῆ, Κομπιτάλια προσαγορεύοντες αὐτὴν ἐπὶ τῶν στενωπῶν· κομπίτους γὰρ τοὺς στενωποὺς καλοῦσι· καὶ φυλάττουσι τὸν ἀρχαῖον ἐθισμὸν ἐπὶ τῶν ἱερῶν, διὰ τῶν θεραπόντων τοὺς ἥρωας ἱλασκόμενοι . . .

Emperor, which was in process when Dionysius began to publish his *Antiquities*. But there is ample evidence for the celebration of the Compitalia in the republic[29] and for the activity of slaves and also of freedmen as *vici magistri* in the cult. The organizations of slaves and freedmen in guilds centering about the cult of the Lares and other divinities in the *vici* were the *collegia* suppressed by senatorial decree in 65.[30] They were revived by a law of P. Clodius Pulcher in his tribunate of 58, and from these organizations in the *vici* he recruited the armed bands that he used to create political violence.[31] The organization of the cult in the *vici* under the fourteen regions of Augustus shown on the Basis Capitolina had its precedents in the four regions of the republic.[32]

For the rural *pagi*, which he equates with tribes, Dionysius (4.15) describes a similar cult of the Lares Praestites and the celebration of a festival known as the Paganalia. There is abundant evidence in inscriptions for the local organization of slaves and freedmen in the *vici* of Italian towns and in the *pagi* of the countryside.

The cult of the Lares in city and *ager* may have been related to the census. It was an old custom at the Compitalia to hang at the *compita* woolen dolls for every freeborn citizen and balls for every slave. This was a rudimentary method of counting the population, free and slave, of a *vicus*.[33] For the shrines in the *pagi* Dionysius records

[29] The relation of Dionysius' account to republican organization in the *vici* is fully recognized by S. Accame in his important study, "La legislazione romana intorno ai colleghi nel I secolo A.C.", *Bull. Mus. Imp. Rom.* 13 (1942) 13–48 (published in *Bull. Com.* 70). This study, which takes full account of the *magistri* of Minturnae, supersedes earlier investigations. Dionysius' account of the Servian institution of the cult of the Lares is accepted by various topographers. See, for instance, Otto Gilbert, *Gesch. und Topog. der Stadt Rom im Altertum* (Leipzig 1885) 347 ff., 375 ff.

[30] Accame, in my view, has settled the long controversy as to whether the guilds suppressed were limited to guilds in the *vici* and at the *compita*. They were, but their scope was far wider than has been realized. Accame has a new and convincing explanation of Asconius' statement (7 C): solebant autem magistri collegiorum ludos facere, sicut magistri vicorum faciebant, Compitalicios praetextati, qui ludi sublatis collegiis discussi sunt. The *collegia* were regional organizations of the *vici* associated with various cults besides the Lares Compitales, and sharing in games at the Compitalia.

[31] *Dom.* 54 (addressed to Clodius): in tribunali Aurelio conscribebas palam non modo liberos sed etiam servos ex omnibus vicis concitatos. See also *Sest.* 34; *Post red. ad Quir.* 13; *Pison.* 9. Cf. Chap. 10 with n. 50

[32] *CIL* 6. 975 (*ILS* 6073), a dedication to Hadrian by the *vici magistri* of the fourteen regions.

[33] See Festus 272–73 L; cf. 108. For the relation to the census I am indebted to some comments of Professor Louise Adams Holland.

the custom of demanding from men, women, and slaves coins of different types which provided a means of counting the inhabitants.

My discussion of the urban tribes, elaborating an earlier treatment, has bearing on questions of Roman topography. The four urban tribes or regions were numbered as Varro numbers them in the account of the chapels of the Argei, and his text, at variance with the established view, is the best source for the boundaries of the regions. The fourteen Augustan regions, as early nineteenth century topographers held, followed the order of the Servian regions.

More important is the evidence that the order of the tribes provides for a relationship between the tribes and the state religion. Mommsen held that the tribes had no connection with state cult.[34] That view must be revised if the official order of the tribes was the counter-clockwise order of the census and of various religious processions. Like the census for which they were created, the tribes were integrated in the all-embracing state worship, and the integration probably goes back to the great organizer of the kingship who instituted tribes and census.[35] The names given to the tribes probably found their way into the ritual and the prayers associated with the census and with other purificatory ceremonies, and that may be why no tribal name, not even those taken from *gentes* which had long since disappeared, was ever changed at Rome.

[34] *RSt* 3. 188 f.

[35] In the relation of the tribes to the state religion there would also be a parallel with Kleisthenes' *phylae*. But Kirsten's maps of the coast and land *trittyes* of Attica (see n. 14 above) do not show the counter-clockwise order that I believe existed in the rural tribes of Rome.

CHAPTER 7

EXTENSION AND DIVISION OF THE RURAL TRIBES BEFORE THE SOCIAL WAR

Long before the last rural tribes were instituted in 241, a number of the older rural tribes had been extended from their original sites, and shortly before that time at least one of the old tribes had been increased by attribution to it of a people, the Curenses, who were geographically divided from the original area of the tribes. As we shall see, there were probably other divisions of tribes in the same period. After new tribes had ceased to be created, primarily for the settlement of old citizens, extension of tribes and the establishment of new divisions of tribes separated from the original tribal area were the only method of incorporating in the *ager Romanus* not only Italian people raised to full citizenship, but also old citizens who received assignments from *ager publicus*. Thus the large allotments of public land to old citizens, made under a law of Gaius Flaminius nine years after the last two tribes were created, were handled by the extension of the Velina and of a new division of the Pollia which had probably been established a few years earlier. My purpose in this chapter is to determine as accurately as possible the accretions of the thirty-one rural tribes before the Social War, when all the Latin colonies and the allied peoples south of the Po were enrolled in the tribes.

The additions to the original rural tribes to the end of the Great Latin War, already discussed in Chapter 4, will be summarized briefly, with attention to the tradition on citizenship. The earliest that we can trace is the incorporation of the territory of Fidenae in the Claudia, which seems to have followed the fall of Fidenae in 426. It is possible that the tribes on the right bank of the Tiber, particularly the Galeria and the Romilia, were increased by encroachment on Veii's territory before the fall of the city in 396.[1] To the southeast, Roman occupation of territory menaced by the Aequi led to expansion in the area of other tribes. In 418, according to the tradition, 1500 Roman colonists were sent to Labici, and the land was enrolled in some tribe, perhaps the Pupinia or the Papiria.[2] Soon after 381, according to Livy, the Tusculani were granted citizenship, and since the inferior class of *civitates sine suffragio* had apparently not been devised, this was probably full citizenship, with immediate enrollment in the Pa-

[1] See Chap. 4, with notes 14–15. If the Fabia directly adjoined Veii, there was little room for expansion.

[2] See Chap. 4, with n. 21.

piria tribe. This early date of full citizenship would explain the appearance of a Tusculanus in the consulship in 322, followed by a long line of successors, who, according to Cicero (*Planc.* 19), set Tusculum apart from all other municipalities. Livy's statement that after the Latin War the citizenship of Tusculum was confirmed, and that responsibility for participation in the rebellion was placed not on the whole people but on the limited group which had persuaded the Tusculani to take part, is probably reliable.[3] Shortly after the war the Aricini were enrolled in the Horatia, the Pedani and the Nomentani perhaps in the Menenia and the Cornelia. The Lanuvini were probably enrolled in the Maecia when it was established in 332, and the people of Velitrae were put in the Scaptia somewhat later.[4] The Voturia seems to have been extended along the coast in 338 to include the citizen colony Antium, in which some of the old inhabitants were included.[5]

Before this time the Romans had devised for subject people a new status, as *cives sine suffragio*, men who, though Romani, were excluded from the tribes and the vote. The first *cives sine suffragio* seem to have been the Caerites, who were perhaps thus incorporated soon after their defeat in 353.[6] This status was conferred in 338, af-

[3] Livy 8. 14. 4: Tusculanis servata civitas quam habebant crimenque rebellionis a publica fraude in paucos auctores versum. For the original grant, see Livy 6. 26. 8: Pacem in praesentia nec ita multo post civitatem etiam impetraverunt. Cf. Plutarch, *Camil.* 38. 4. On the reliability of the tradition, see De Sanctis, *StR* 2. 243 f., where the author emphasizes the importance of Tusculum in the wars with the Aequi, which had already led to Roman possession of adjoining Labici. See also De Sanctis' paper, "La Dittatura di Caere," *Scritti in onore di B. Nogara* (Vaticano 1937), 147–58, esp. 156 f.; Sherwin-White, *RomCit* 19 f., 27 f., 29, 56 f.; Momigliano, s.v. "Tusculum," *Encyc. It.*, E.T. Salmon, *The Phoenix* 7 (1953) 131. As De Sanctis points out, Rome's methods of dealing with subject peoples were not fixed in 381, and, as Sherwin-White suggests, the citizenship of Tusculum was a more or less unsuccessful experiment. See his argument that it was full citizenship, and his valuable comments on the puzzling notes of Festus on *municipes* (not in accord with views of J. Pinsent, *CQ* 4 (1954) 158 ff.; 7 (1957) 89 ff.). See n. 6 below on the institution of *civitas sine suffragio*. On an attempt to disfranchise the Tusculani in 323, see M. Flavius, Chap. 13, and discussion, Chap. 16; on Tusculani in the consulship, Chap. 15, with n. 25.

[4] See Chap. 5, with notes 22–29.

[5] See Appendix.

[6] See the defense of the tradition in Gell. 16. 13. 7 (*primos autem municipes sine suffragii iure Caerites esse factos accepimus*) by De Sanctis, paper cited above, n. 3. For a date shortly after the *foedus* of 353, see Fraccaro, *OrgPol* 199 f., where it is suggested that the Veliterni were similarly incorporated at the same time. On the revolutionary views and dating of the award to Caere suggested by M. Sordi, *I rapporti romano-ceriti e l'origine della civitas sine suffragio* (Rome 1960), see my forthcoming review, *AJP*.

ter the Latin War, on the Campani of Capua, the Fundani, Formiani, Suessulani, and Cumani (Livy 8. 14). In 332, under a *lex*, the Acerrani were made *cives sine suffragio* (8. 17. 12); in 306, the Anagnini (9. 43. 24); in 303, the Arpinates and Trebulani (10. 1. 3); and probably somewhat later the Aequi on the Himella;[7] in 290, the Sabini, whom I have identified with the people of Cures.

This is the last of the obviously incomplete records we have of awards of this inferior type of citizenship, but it is likely that, except for the Latins, all the peoples of Italy who acquired citizenship before the Social War received their original awards without the vote. It is important to determine when the various *cives sine suffragio* were raised to full citizenship and assigned to tribes, but here the sources are even more inadequate. Only for the Sabini (in my view, the Curenses), who received the vote in 268 in the Sergia, and for the Formiani, Fundani, and Arpinates, granted the vote in the Aemilia and the Cornelia in 188, have we specific evidence. I have argued that the Sabini who were later in the Quirina were still *cives sine suffragio* in 225, and perhaps in 205. That was the status of the Campani of Capua in 216, though their upper classes had full citizenship. The Cumani had not yet acquired the vote in 180, when they asked permission from the Romans to use Latin in their public activities (Livy 40. 42. 13). I should date many of the awards in the early part of the second century, and I shall discuss later the reason why we have a record only for the Fundani, Formiani, and Arpinates in that period.

But first an attempt must be made to determine which people had grants of citizenship, and which were bound to Rome by the system of alliances that was widely extended after the Latin War.[8] At that time two important Latin peoples, the Tiburtes and the Praenestini, remained under their own laws in alliance with Rome. That was also the status of most of the Hernici. Later, alliances were widely

[7] On early awards of citizenship, including that to the Aequi, see Cic. *Off.* 1. 35: maiores nostri Tusculanos, Aequos, Volscos, Sabinos, Hernicos in civitatem etiam acceperunt. The Aequi include both the peoples of the Anio registered in the Aniensis and those of the Himella (Aequicoli) who were placed in the Claudia. The Aequi, according to Livy 9. 45 (304), had opposed acceptance of *civitas s. s.*, and most of their *oppida* were destroyed. Following Adcock, I have suggested (Chap. 5, n. 35) that the Trebulani who received *c.s.s.* in 303 were the Trebulani Suffenates of the Anio. The other peoples of the Anio (Trebani and Afilani) probably acquired the same status later. The Aequi of the Himella, usually believed to have been conquered in 304, were, in Beloch's view, subdued by M'. Curius Dentatus in 290. See *RG* 422, 429, 597.

[8] On *civitas sine suffragio* and alliances as successive and overlapping methods of dealing with subject people, see Fraccaro's significant discussion, *OrgPol* and Sherwin-White, *RomCit*, Chap. 2. Cf. also Bernardi, *Cives s. s.*

extended to other Italic peoples. In 90 B.C. about two-thirds of Italy consisted of allies. We have information about many of them, particularly in central Italy where the revolt grew up, and also about one great group, the Latin colonies, in a favored position because they were settled largely by Roman citizens, but there are many peoples whose status, whether citizen or ally, is uncertain.

The status of Italian peoples can be determined by a number of criteria listed by Beloch in his epoch-making *Römische Geschichte.*[9] Allied status can be deduced, he points out, for peoples who had the right of receiving Roman citizens in exile, exercised independent jurisdiction under their own laws, issued silver coinage, and served not in the legions, but in their own contingents in the Roman army.[10] Full citizenship before the Social War is established for most of the *conciliabula civium Romanorum* and *fora* of Italy, many of the latter bearing names of magistrates of an earlier period, and for all the *praefecturae*, in which a *praefectus* functioned as deputy of the Roman praetor. Full citizenship can also be deduced for peoples whose chief magistrates were dictators, praetors, aediles, *octoviri*, and also, for various municipalities, *duumviri*, the regular magistrates of Roman citizen colonies.

On the other hand, communities headed by *quattuorviri* are in general to be interpreted as former allies who received citizenship after the Social War. This is the chief magistracy of most of the Latin colonies which were enfranchised then, and it is found in many other communities whose allied status is attested in the sources. This criterion is used most often by Beloch in his determination of the earlier status of communities for which the sources fail us.[11] But, as Beloch shows, there are weaknesses in its application. Six communities in territory that we know belonged to citizens before the war were governed by *quattuorviri*. Two of them, Bovillae and Castrimoenium, were in old Latium, and the title is, in his very probable view, to be explained by the organization of the new municipalities in the region after the Social War, when all the territory of Italy (except *ager publicus*) was assigned to organized communities. The other four towns, Cures and Reate in Sabine territory, and Plestia and Fulginiae (a *praefectura*) in Umbria, are in regions where *octoviri* are the old chief magistrates. In Plestia an *octovir* is actually recorded in an inscrip-

[9] *RG* 574–83, a revision of the discussion in *ItBd*, which was published when few volumes of *CIL* were available. See also *RG* 488–522 on municipal magistrates and 583–621 on the various regions. I omit one of Beloch's criteria for determining the status of communities—the tribal assignments—for, except for the peoples enrolled in the Pollia, his conclusions seem to me uncertain here. See Chap. 8, n. 31.

[10] For *cives sine suffragio* in special detachments, see Chap. 5, n. 68.

[11] For a list of the communities, with discussion, see *RG* 500–06.

tion not later than the early empire (*CIL* 11. 5621), and Beloch is doubtless right that there, and in the other three communities, the quattuorvirate developed from an earlier octovirate. There may be other towns with *quattuorviri* where a similar development took place,[12] towns that should be included among citizen communities before the Social War. These towns would be in Umbria, where our information about citizen or allied status is fragmentary, and not in the other regions known to have used the octovirate—Sabine territory and the *regio Practuttiana*, both fully enfranchised before the Social War.[13]

There is at least one Umbrian community where, I think, the *quattuorviri* attested in the inscriptions may replace old *octoviri*, and may belong to a people enfranchised before the Social War. The community is Interamna Nahars (Terni) in a strategic position between the Tiber and the Nar. It is one of the eleven Umbrian towns east of the Tiber in the Clustumina tribe, all of which, in Beloch's generally accepted view, were enfranchised after the Social War.[14]

But it is significant that the Clustumina had existed in the east Tiber valley before the war. It is the tribe of Forum Novum, situated at Vescovio, some twenty miles south of Terni, an old market-place on a small tributary of the Tiber. The site, which was still a market-place in the fourth century of our era, has road connections with Nar-

[12] Beloch, *RG* 505, makes the suggestion for Urbs Salvia Pollentinorum in Picenum, and I think it likely, in spite of Rudolph's objection, *SSRI* 83, n. 1. Beloch concedes that there may have been other similar communities, but he goes too far when he states: "die weitüberwiegende Wahrscheinlichkeit spricht dafür, dass wir es da, wo Quattuorviri vorkommen, mit Gemeinden zu tun haben, die bis zum Socialkriege foederiert oder latinischen Rechtes gewesen sind." On *octoviri*, see Rudolph, s.v., *RE* and *SSRI* 66 ff.

[13] In Umbria Tuder, Camerinum, Iguvium, and probably Ameria (see n. 18 below) were allied until the Social War, and Spoletium was a Latin colony. Citizen communities included Plestia, Fulginiae, Forum Flamini, Forum Brentanorum, and in the north Pisaurum, c. c. R., and Suasa Senonum in the Camilia, and the communities in the Pollia, Aesis, Fanum Fortunae, and Ostra. For other towns the fact that the magistrates were *quattuorviri* is the chief reason for dating enfranchisement after the Social War. The absence of evidence for *praefecturae* except at Fulginiae (n. 24 below) would suggest that citizenship was not widespread. The attested *praefecturae* of the Sabini, Vestini, Piceni, and of peoples of greater Latium provide much evidence for early enfranchisement in those regions. On *praefecturae*, see bibliography cited, Chap. 5. n. 70.

[14] This conclusion was questioned by E. Pais, *GP-CA*, part 2, 677–98, esp. 688, where, objecting to the view of Beloch and Kubitschek on penalty tribes after the Social War (see Chap. 8), he suggests that the Clustumina may have undergone a development like that of the Pollia. See the Licinii Luculli, Chap. 13.

nia through Otriculum, and with Interamna, Reate, and Cures.[15] The territory seems to have consisted of a number of settlements between the Tiber and the Nar. An inscription with the Clustumina tribe was preserved at Stroncone, about five miles south of Interamna (*CIL* 9. 4763a). The close relations of the regions at an earlier time are obscured by the fact that Sabine and Umbrian territory were placed in different Augustan Regions, the Fourth and the Sixth. But the relations are, I think, indicated by Pliny, who lists the Interamnates Nahartes in the Sixth Region, and also mentions Interamnates among the Sabini of the Fourth Region.[16] Like the territory of Cures, the site of Forum Novum was probably occupied during the Roman campaigns which ended with the fall of Nequinum in 299 and the establishment of the Latin colony of Narnia on the site.

Interamna, with its excellent communications not only with Forum Novum and Cures, but with Reate and Nursia, and, through the valley of the Nar, with Narnia, would also have been important. The fact that the town, which claimed to have been founded eighty-two years after Rome (*CIL* 11. 4170 = *ILS* 157) has a Latin, not a Sabine or Umbrian name, supports an early occupation. The same name was given in the late fourth and early third century to two other towns between rivers. Interamna Lirenas in the Liris valey became the site of a Latin colony in 312, and Interamnia Praetuttiorum in the region conquered by Curius in 290 was probably a *conciliabulum civium Romanorum* soon after the Velina was organized in 241.[17] Interamna Nahars and its territory, bounded not only by Narnia, but by another

[15] See Nissen, *ItLdk* 2. 477; E.C. Evans, *The Cults of the Sabine Territory*, *PAAR* 11 (1931), 41 ff.; C. Pietrangeli, *Epigraph.* 2 (1940), 286–91 (with publication of inscriptions and comments on an ancient road from Forum Novum to Otriculum). The tribe is established by *CIL* 9. 4789 (a *duumvir*), and 4808 and by no. 11 of the inscriptions published by Pietrangeli. I agree with Syme, *CQ* 7 (1957), 124, that Forum Novum was the probable home of the centurion Sp. Ligustinus Crustumina ex Sabinis... oriundus (Livy 42. 34. 2). The Clustumina, accepted as the tribe of Forum Novum by Mommsen, *CIL* 9, p. 453, and by Beloch, *RG* 597, is questioned by Kubitschek, *IRTD.*

[16] *N.H.* 3. 107 and 113. The latter passage clearly specifies Interamnates cognomine Nartes in the sixth region, while the former simply lists Interamnates among the Sabini of the fourth region. The general belief that the passage refers to Interamnia Praet. is, in my view, unlikely, for the communications were much closer with Interamna Nahars. On the relations between the region of Forum Novum and south Umbria, see Beloch, *RG* 425 f., 596 f.

[17] On the development of Interamnia Praet. into a municipality, see Frontinus, *Corp Agrimen.* pp. 7 f., Thulin: *hoc conciliabulum fuisse fertur et postea in municipii ius relatum.* Cf. Philipp, s. v. *RE.*

Latin colony, Spoletium, established in 241, was, I suggest, annexed to Roman territory in the early third century, perhaps with viritane assignments for citizens and *civitas sine suffragio* for the natives. It is possible that other communities in the Clustumina were also enfranchised at the same general period. Two of Interamna's closest neighbors, Tuder and Ameria, later in that tribe, remained in allied status until the Social War,[18] but Carsulae, for instance, to the northwest of Interamna on the Via Flaminia, may well have been a foundation of Roman citizens. Its magistrates in a series of imperial inscriptions are *quattuorviri*, but a *duumvir iure dicundo* of the Augustan Age may be a survival of an older magistracy. Carsulae was a town without walls, and, so far, no traces of an older Umbrian settlement have been found.[19]

In any case, the tribe of Forum Novum shows that the Clustumina was in the east Tiber valley before the Social War, and the occupation of the site soon after 299 is likely. The Clustumina, like the Sergia, seems then to have been a divided tribe at an early period. The same thing was true of the Claudia, which became the tribe of the Aequi or the Aequicoli in the valley of the Himella, who were separated from the rest of the Aequi by the Latin colonies Alba Fucens (303) and Carsioli (298). Other tribes divided in the third century were the Pollia and, almost certainly, the Sabatina. The Pollia was the tribe of Aesis, which is probably to be identified with the Aesulum of Velleius (1. 14. 8), a citizen colony of 247. It was the tribe in which extensive land assignments from *ager Gallicus* were made in 232 under C. Fla-

[18] For Tuder, see Sisenna, frg. 119 Peter. For Ameria, evidence for allied status, not, as far as I know, noticed, is to be found in the fact that the elder Sex. Roscius was bound in *hospitium* to noble families of Rome (Cic. *Rosc. Am.* 15). If Cicero was using the term in its strict sense (and he regularly does so in the orations), it indicates that Roscius was a *peregrinus* when he established the relationship. Iguvium, further to the north, also in the Clustumina, was federated until the Social War (Cic. *Balb.* 46, 47).

[19] On the current excavations at Carsulae, see G. Lugli, *Il Messaggero di Roma*, July 19, 1958. I am grateful to the excavator, Dr. Umberto Ciotti, for showing me the important new discoveries and for discussing with me the problems of the site. On the *duumvir iure dicundo* of Carsulae (*CIL* 11. 4575), see Degrassi, *Quattuorviri*, 335 f. On the tribes in the inscriptions of Carsulae, see Appendix. Another community in Umbria that may have been in the Clustumina before the Social War is Tadinum on the Via Flaminia, south of Iguvium. But both the tribe and the date of enfranchisement depend on Bormann's tentative suggestion that the *duumvir* in the Clustumina in *CIL* 11. 5802 belongs to Tadinum. See Bormann's comments, pp. 823, 853. On the map at the end of the volume we follow Fraccaro in placing Tadinum in Roman territory before the Social War.

minius' *lex de agro Gallico et Piceno viritim dividundo.*[20] The Sabatina was the later tribe of the land taken from Volci in 280. On it were the *praefecturae* Statoniensis and Saturnia, and the citizen colony Saturnia, established with land grants from *ager publicus* in 183.[21] The founding of the Latin colony Cosa in 273 (whose later tribe is unknown) shows that there were land grants in the territory soon after the land was taken from Volci, and there were probably viritane grants to citizens in the Sabatina in the same period.

Thus, there is reason to believe that not only the Sergia, the tribe of Cures, but the Clustumina, the Claudia, the Pollia, and the Sabatina became divided tribes in the third century.[22] The purpose of the new divisions must have been to secure a relative equalization of the tribes, and it is significant that, in selecting the tribes to be divided, districts like the Papiria, the Horatia, and the Voturia, which had been much extended, were avoided. The old sites of the Clustumina, the Claudia, and the Sabatina are known; the Pollia is fixed with a fair degree of probability, the Sergia with less certainty, on the evidence of the cognomen Fidenas for a Sergius. Now, it is noteworthy that the original sites of all these tribes, established in the tradition or determined from more or less certain evidence, were hemmed in by other tribes or by allied, peoples, and could not be extended, as the Papiria and the Horatia, for instance, had been.[23] Hence, if they were to be made approximately equal in extent and manpower to the other tribes, they had to have new districts in a separated area.

A curious fact emerges from a consideration of the relation of the original sites to the five new divisions. In each case a line drawn from the center of Rome through the region of the original tribe leads to the new division of the tribe. My suggestion is that, for tribes

[20] Mommsen's identification of Aesis with Aesulum, though often questioned, seems to me likely. It is tentatively accepted by Fraccaro on his map and by Kornemann, s.v. "Coloniae," *RE*, col. 521. On C. Flaminius' law, see Chap. 5, n. 66. Fraccaro, *Athen* 7 (1919) 73–93 (*Opusc* 2. 191–205) argues that the great opposition of senators to this law is to be explained by the fact that viritane assignments for citizens far away from Rome were against Roman policy. The via Flaminia, built a few years later, brought the region into closer relations with Rome.

[21] Livy 39. 55. 9. See Beloch, *RG* 455 f., 566, 608. Visentium grew up in the territory of the *praefectura* Statoniensis.

[22] All these districts are included in Beloch's estimate of the *ager Romanus* before the First Punic War (*RG* 620 f.) See n. 24.

[23] The Pollia and the Sergia, if I locate them correctly, were hemmed in by other tribes; the Sabatina by allied peoples; the Claudia by the Clustumina, and originally by the territory of Fidenae (later incorporated in it) and Nomentum. The Clustumina must have bordered on the territory of Eretum, for whose subsequent incorporation in a tribe there is no evidence.

which could not be extended on their original sites, orientation from Rome was the basis of the new division. As I have suggested in Chapter 2, the censors, perhaps without special authorization, may have been able to add to rural tribes citizens settled in the periphery. I suggest now that they may also have put in a tribe citizens settled in the same direction from Rome as the original tribal area. That would have meant no conflict with the official order of the tribes, which, I have argued in Chapter 6, was based on the census. The new areas of the Claudia, the Clustumina, and the Sabatina—to mention the three tribes whose original location is established—accorded with that order, and there is reason to believe that the same thing was true of the Pollia and the Sergia. If the Curenses in the Sergia were the Sabini who were raised to full citizenship in 268, a year when censors were in office, the date of such censorial action is fixed for one of the tribes. I would attribute the other divisions to the same general period.

The relation of the new divisions of these five tribes to the original areas established or suggested for the tribes is shown on the map of tribes before 232, in Chapter 5. If the Cornelia, to which the *praefectura* Fulginiae on the Via Flaminia was assigned, was the tribe of Nomentum, this division may also have been based roughly on orientation from Rome. But the date of annexation of Fulginiae's territory is uncertain.[24] It is perhaps to be placed at the time of the construction of the Via Flaminia, a work of the censorship of C. Flaminius in 220.

There are other possible examples of extension by orientation which belong to the early second century. One of them is the citizen colony Buxentum (194) in Lucania, which was placed in the Pomptina. Assignment of land in the region is indicated by the Latin colony Copia Thurii, founded in 193. The discovery in the region of Gracchan terminal stones shows that there was *ager publicus* in the vicinity. At least one neighboring community in the Pomptina, Tegianum, seems to have been enfranchised before the Social War.[25] Orientation may

[24] For Fulginiae as a *praefectura*, see Cic. *Pro L. Vareno*, frg. 3, 4. Beloch, *RG* 620 f., cf. 443, lists it tentatively in the *ager Romanus* of the third century. De Sanctis places its occupation in the early third century. See *StR* 2. 358 f. For the possibility that such divisions were older than the third century, see discussion of Castrimoenium and Bovillae, Chap. 11 and Chap. 6, with n. 26.

[25] For a succinct statement of the evidence for *ager publicus* at this period, see Frank, *EcSur* 1. 112 f. For the Gracchan terminal stones, including recent discoveries, see Degrassi, *ILLRP* 467–75. Six have been found in Lucania, some in the neighborhood of Atina and Volcei, which were in the Pomptina after the Social War. For others, see notes 40, 52. On Tegianum which, following Fraccaro, we have placed in the *ager Romanus* in the period before the war, see, for evidence not available to Kubitschek, Philipp, s.v. *RE*. On Grumentum, see n. 45 below.

also have determined the assignment to the Galeria of the new style large citizen colony placed at Luna in 177, and of the Stellatina to Forum Livi, established on the line of communication which became the Via Aemilia. Forum Livi has been, with great probability, interpreted as a settlement connected with the activity in Gaul of C. Livius Salinator in his consulship, 188.[26] And finally, though the date of enfranchisement is uncertain, Trebula Balliensis, on the borders of the Latin colony Cales in Campania, may provide another example of tribal assignment by orientation. The only rural tribe recorded on the site, the Pupinia, has recently been shown to belong to a family of local magistrates. The site is in an almost direct line from Rome through the old Pupinia.[27]

This method of increasing tribes which could not be extended from the original site was, in my view, adopted for various new tribal assignments of the third century, and in some instances in the second century, but it was obviously not applicable to all the tribes, for instance,

[26] See G. Susini, "Profilo di storia romana della Romagna," *Studi Romagnoli* 8 (1957) 13 f., for a cogent argument that the settlement of Forum Livi antedates the citizen settlements in the Pollia on the Via Aemilia. The Stellatina may have had assignments south of the road, for it is the tribe of Mevaniola in Reg. 6, probably not enfranchised before the Social War. It is to be noted that M. Livius Salinator, father of the consul of 188, was also active in Cisalpine Gaul (in 204, Livy 29. 13. 4). His tribe was the Pollia. See Chap. 13.

[27] See Kubitschek, *IRTD* 31, 34, who, from three inscriptions showing the Pupinia at Capua, one at Sinuessa, and one at Trebula Balliensis concluded that there was a town in the Pupinia in the region. Trebula is the only one of these towns for which there is no other evidence for tribe. The inscription from there (*CIL* 10. 4568) records without title a father, M. Marius M.f. Sophus, and a son, both in the Pupinia. An inscription from the site published recently (*NSc* 1954. 288–90) gives without tribe the name M. Marius N.f. Sophus, who was *iiiivir quin(quennalis)*. The two names may belong to the same man, for the M.f. of *CIL*, recorded on ms. authority, may be a mistake for the uncommon *praenomen* N. Enfranchisement after the Social War is indicated by the quattuorvirate, which also occurs in 10. 4562 (see Beloch, *RG* 501 and Degrassi, *Quattuorviri* 333 f. with comments on the later occurrence of a *duovir* in 4559). But, like Castrimoenium and Bovillae, Trebula may not have had municipal organization until the Social War. Mommsen (*CIL* 10, p. 442) and De Sanctis (*StR* 2.338) date the award of citizenship earlier, identifying the people with the Trebulani who received citizenship in 304 (cf. Chap. 5, n. 35 for my view that the Trebulani Suffenates are more probable). With the alternate reading Bal(l)inenses for the Campanian Trebulani in mind (see Pliny, *N.H.* 3.64, the only source for the name of the people), De Sanctis proposes the ingenious emendation βαλινίους for the corrupt Παλινίους or Παληνίους of Diodorus 20.90.3, the name of a people granted citizenship in 304. This people is usually identified with the Paeligni. See n. 54 below.

the Romilia and the Voltinia, if I have located it correctly. That is perhaps one reason why the method was abandoned, certainly by the early second century.

Meantime, the more normal method of increasing tribes by extending them on the spot continued—a method that offered obvious advantages for the tribal levies and tax collections, as well as for voting. The Voturia at the mouth of the Tiber seems to have been enlarged to include much of the Latin coast, not only toward the south, where it probably became the tribe of Antium, but toward the north. It was apparently the tribe of Caere when that town, reportedly the oldest *civitas sine suffragio*, finally secured the vote. That may not have happened until after the year 205, when Caere contributed to Scipio's African expedition.[28] There is reason to believe that Caere had been penalized during the war with Pyrrhus by having to give up a part of her territory, presumably the coastal area on which citizen colonies were established at Fregenae in 245, at Alsium in 247, and at Pyrgi at some unknown date. The tribes of the colonies are not known, but I suggest that they too may have been placed in the Voturia, and that that tribe, like the Menenia, the Pomptina, and the Galeria at a later time, covered a long stretch of the coast of Italy.[29] The enrollment in the Stellatina of the citizen colony Graviscae in 181 on land taken perhaps a century earlier from the Tarquinienses[30] may represent an extension, along the north shore of Lacus Sabatinus, of that tribe (to which Nepet, a Latin colony, and Tarquinii were assigned after the Social War). The Velina, already extended after 232

[28] Livy 28. 35. See Chap. 5, with n. 69. The Voturia is recorded only in the name of a municipal dictator (*CIL* 11. 3615, 3257) on a stone preserved at Sutri, but attributed by Bormann to Caere because Caere alone in the region had dictators. For a defense of the attribution against Rosenberg, see De Sanctis, article cited in n. 3 above. For other tribes in the inscriptions of Caere, see 3662 (Galeria), 7613 (Voltinia?), 7687 (Palatina?). It is not known when Caere acquired full citizenship, but De Sanctis would assume that the date was much later than Beloch's suggested date (*RG* 363–65), 274–73, arguing that the loss of territory in that period provided land for the citizen colonies on the coast nearby.

[29] The neighboring colony Castrum Novum, established probably in 264 (see n. 36 below), may have been in the Voltinia. The tribe depends on Bormann's view (*CIL* 11, p. 531) that a man in the Voltinia, named in an inscription from Rome (*CIL* 6. 951), was aedil(*is*) c(*oloniae*) C(*astri*) N(*ovi*). See c(*olonis*) C(*astri*) N(*ovi*) in an inscription from the site, *CIL* 11. 3583 (*ILS* 5515). If the tribe was the Voltinia, a probable record of that tribe in an inscription from Caere (*CIL* 11. 7613) may come from Castrum Novum.

[30] Livy 40. 29. 1: Colonia Graviscae eo anno diducta est in agrum Etruscum de Tarquiniensibus quondam captum. On the time when land was taken, see Beloch, *RG* 455 f., 565 f.

to citizen settlements in Picenum, became the tribe of the various *praefecturae* in that region, and the Quirina became the tribe of the citizen communities, also largely *praefecturae*, in the territory of Sabini and Vestini. The Sergia was extended from Cures, perhaps at an early date, to Trebula Mutuesca. The Aniensis, located south of the Anio, was made the tribe of Trebula Suffenas, Afilae (?), and Treba. The Poblilia, already, in my view, in Hernican territory, became the tribe of Anagnia when it acquired full citizenship, perhaps in the second century. The Oufentina became the tribe of Frusino, part of whose territory, previously annexed by Rome, had probably been placed in that tribe.[31] The Teretina was extended to Casinum, Atina, Allifae, and Venafrum; the Falerna to Acerrae, Forum Popili, and perhaps Caiatia.[32]

But the tribe which received by far the greatest extension was the Pollia. From the settlements under C. Flaminius' law of 232 there developed the north Picene communities in the Pollia, Fanum Fortunae, Forum Semproni, and Ostra. After this, the Pollia became accepted as the tribe in which *ager Gallicus* was enrolled. The conquests of the Po valley, protected by the Latin colonies Placentia and Cremona, established in 218 and heavily strengthened in 190, prepared the way for the formation in 183 of two citizen colonies of a new type, Parma and Mutina, with two thousand colonists each, instead of the three hundred sent to old maritime colonies. These colonies were placed in the Pollia. In that tribe too were placed the viritane assignments in this region and in Ligurian territory, made under a senatorial decree of 173 (Livy 42. 4), and the communities that developed were placed in the Pollia.[33] There is a large group of these towns on the

[31] See Chap. 5, with n. 38, for my argument that the land taken from Frusino in 303 (Livy 10. 1. 3) was placed in the Oufentina, and was not, as Beloch held, the nucleus of the Teretina tribe. Aquinum, also in the Oufentina, was probably not enfranchised until after the Social War. Beloch's interpretation (*RG* 501, 586) of Cic. *Fam.* 13. 76 as evidence for *quattuorviri* there is supported by Degrassi's comment, *Quattuorviri* 300, on *CIL* 10. 5190 (= 1^2. 1542).

[32] Caiatia is listed by Beloch (*RG* 508, 511) as allied until the Social War (see also Salmon, *Social War*), but its magistrates were *duumviri*, and Mommsen's arguments for earlier citizenship (*CIL* 10, p. 444) are strong. Caiatia's tribe was surely the Falerna, but in one of the inscriptions which Kubitschek, following Mommsen, cited as evidence for the tribe (*CIL* 10. 3893), the reading Calatia as the *domus* of a soldier is to be preferred. See Huelsen, *Röm. Mitt.* 12 (1897) 82. I am indebted to Dr. Silvio Panciera for calling my attention to Huelsen's note, which fixes the tribe of Calatia also as the Falerna.

[33] See Ursula Ewins' valuable paper (in part the result of study under Fraccaro at Pavia), "The Early Colonisation of Cisalpine Gaul," *PBSR* 20

Via Aemilia which was built in this period. From east to west, interrupted by Forum Livi in the Stellatina and the Latin colony Bononia, the towns, including the two citizen colonies of 183, were Faventia, Forum Corneli, Claterna, Mutina, Forum Lepidi (later Regium Lepidum), and Parma. From the viritane assignments in Ligurian territory, some of which are perhaps to be attributed to a later period, the following communities in the Pollia developed: Carreum-Potentia, Hasta, Forum Fulvi, Forum Germa[*norum*], Pollentia, Vardagate.[34] By the middle of the second century the Pollia had surpassed all other tribes in size.

Other tribes were assigned without relationship to extension of old tribes either directly or through orientation. That is true of certain citizen colonies and *fora*, small settlements of little importance either for recruiting or for voting.[35] There are three instances in the third century. Thus, the colony Castrum Novum (289 ?) in the Praetuttii may have been in the Papiria, and the colony of the same name in Etruria (264 ?) was perhaps in the Voltinia.[36] Forum Flamini, presumably founded by C. Flaminius on his great road, was in the Oufentina, which was also made the tribe of neighboring

(1952) 54–71. For references to the individual communities, see the index to the volume under "Towns and Tribal Communities in North Italy." See also Fraccaro's map which gives the towns that in his view existed before 89 B.C. On the Ligurian settlements, see Fraccaro's important paper, "Un episodio delle agitazioni agrarie dei Gracchi," *Studies presented to David Moore Robinson* 2 (St. Louis 1953) 884–92 (*Opusc* 2. 77–86). There he argues from a study of the roads of the region that Ligurian settlements may have been carried out under M. Fulvius Flaccus, cos. 125. See also his suggestion, p. 891, that Forum Germa[norum ?] in the Pollia, usually attributed to the Alpes Maritimae, was settled at the time. The article contains a valuable discussion of the Pollia tribe.

[34] It is likely that Caesena also belonged to the Pollia, but the evidence usually cited (cf. Ewins 58), two men in inscriptions of Rome in that tribe, with the *nomen* Caesennas (*CIL* 6. 13935–36) is hardly valid. I agree with Susini, *op. cit.* 28, that the *nomen* is more likely to come from another town in the Pollia. See Chap. 12, with notes 31–32. Another possible community in the Pollia was Tannetum. See Ewins 62 for the doubtful evidence.

[35] Kubitschek's view, *Orig* 27, that members of citizen colonies and inhabitants of *oppida* were originally not assigned to a single tribe, was, in my opinion, shown by Mommsen (*RSt* 3. 165, n. 2) to be untenable. On colonization in general, see Salmon's important papers, *Colonization* 1 and 2.

[36] On the dates, see Kornemann, s. v. "Coloniae," *RE*, col. 521; Salmon, *Colonization* 2, 66, n. 14; 67, n. 21. The possibility that there was only one citizen colony of the name must be considered. On the Papiria at the Adriatic Castrum Novum, see L. Lartius, Chap. 13; on the Voltinia at Castrum Novum in Etruria, see n. 29 above.

Plestia.[37] I shall discuss in the final chapter my reasons for hesitating to believe that such communities took the tribes of their founders. Other cases of citizen colonies in tribes that could not have been extended, either directly or by orientation, to include them are three colonies of 194, Pisaurum on the Adriatic in the Camilia, Salernum, perhaps in the Menenia, and Croton in Bruttium, which was put in the Cornelia.[38]

Much more significant for the number of voters—and also of potential recruits—were certain seemingly arbitrary new divisions of old rural tribes, which can, I think, be attributed to the influence of the elder Scipio Africanus. Scipio's veterans of the Spanish and African campaigns received grants from *ager publicus* in Samnium and Apulia in 200 (Livy 31. 4. 1–3 and 49. 5). Our knowledge of tribal assignments and of the location of *ager publicus* in Apulia is too inadequate to permit even a conjecture on the tribes of the assignments there. The land in Samnium was, Mommsen held, in the Voltinia, the tribe of the Samnites after the Social War, a tribe to which Aufidena was probably assigned before the War.[39] But Professor E. T. Salmon points out to me that that region included the territory of the Pentri who, because of their loyalty to Rome in the Second Punic War (Livy 22. 61. 12), would not have lost territory. In his view, a more likely location for the allotments for the veterans would be the region of the faithless Hirpini, where Gracchan terminal stones

[37] For the assignment of Forum Flamini to the Oufentina, not listed in *IRTD*, see Kubitschek s.v. "Oufentina Tribus," *RE* and *CIL* 11. 2. 2, p. 1385. Plestia, an old community, since it had *octoviri*, was in the same tribe, but Fulginiae, a *praefectura* in the Cornelia, was closer, and seems to have been united with Forum Flamini in municipal organization under the empire. On the site, see G. Radke, *RE* 8 A. 2 (1958) 2563–67.

[38] Suasa Senonum in the *ager Gallicus* was also in the Camilia. For evidence that it had citizenship before 90, see Beloch, *RG* 498, 509 f. If an inscription preserved at the Badia of Cava dei Tirreni (*Ephem. Epigr.* 8. 851) belongs to Salernum, the colony there may have been in the Menenia, which became the tribe of the south Campanian coast after the Social War, but the provenience of the inscription is uncertain. In the Bruttii there may have been viritane assignments in the Cornelia when Croton was established in that tribe, for the later tribe of Petelia nearby was the Cornelia. There was *ager publicus* in the region, and the two Latin colonies, Copia Thurii and Vibo, were founded in 193 and 192. The tribes of neighboring Tempsa and of Sipontum in Apulia, both c.c.R. 194, are unknown.

[39] *RSt* 3. 187, where Mommsen suggests that the Voltinia may have played a role in Samnium similar to that of the Velina in Picenum. Beloch, *RG* 472, 509, on the dubious authority of *CIL* 9. 2802, suggests that Aufidena was a *praefectura*. Since its magistrates were *duumviri*, and since it was close to the Latin colony Aesernia (263), Aufidena may well have had citizenship before the Social War.

show that there was *ager publicus*. In that case the tribe would probably be the Galeria, extended in the region after the Social War.[40] Whatever the tribes,[41] voters from the regions would have added to the strength of Scipio in the comitia.

Scipionic influence may also account for the assignment, by a tribunicial law of 188, of Fundi and Formiae to the Aemilia, and Arpinum to the Cornelia.[42] The unique report of this legislation providing for the elevation of *cives sine suffragio* to full citizenship is, I suggest, preserved because controversy was aroused by tribal assignments that represented a departure from the usual policy adopted for accessible communities of Greater Latium. The old rural tribes had been hemmed in to the south by tribes created later, the Pomptina, the Poblilia, the Maecia, the Scaptia, the Oufentina, the Falerna, and the Teretina. The normal procedure in this region was to assign a newly enfranchised community to an adjoining tribe, and under that policy Fundi should have been placed in the Oufentina, Formiae in the Teretina, and Arpinum in either of these tribes. Under that procedure the three peoples, enrolled in large tribes, would have had much less influence than they acquired when they were put in old rural tribes with small territory near Rome. The assignment of these three peoples to the Aemilia and the Cornelia may explain both the tribunicial law and the senatorial opposition to it. In the final chapter I will give my reasons for believing that this law, like the law of the same period providing for the registration of freedmen's sons in all the tribes,[43] represented an attempt of Scipio Africanus to obtain control of tribal votes.

In the Gracchan period Fabrateria Nova, a citizen colony, founded in 124 on land of the Latin colony Fregellae which had been destroyed, was placed not in a neighboring tribe, but in the Veientane Tromentina, which hitherto, as far as we know, had had no additions. Of the colonies of C. Gracchus and M. Livius Drusus we know little. It is uncertain whether the Claudia was the tribe of the Gracchan

[40] As Salmon notes, Degrassi, *ILLRP* 1, p. 269 (no. 473, cf. note on 472), is misleading in his statement that three terminal stones were found in Apulia. The place of discovery of the two stones represented by no. 473 was Rocca San Felice in the *ager* of Aeclanum. This was the territory of the Hirpini, all of which, except Aeclanum, which was placed in the Cornelia, was later in the Galeria. On the Cornelia at Aeclanum, see Chap. 16. The map at the end of this volume, which follows Fraccaro, does not indicate *ager publicus* in this region.

[41] For the Fabia in this region, see n. 52.

[42] For discussion of the law (Livy 38. 36), see Chaps. 2 and 16.

[43] Plut. *Flam.* 18. See Chap. 10, with notes 23–24; Chap. 16, with notes 25–31.

Colonia Neptunia, placed beside the allied town of Tarentum, or whether it belonged to the colony of veterans established at Tarentum by Nero to populate the abandoned region.[44] Beloch's view that Abellinum in the Galeria, Grumentum in the Pomptina, and Telesia in the Falerna were colonized in this period is doubtful. He bases it on the fact that the magistrates in all three places were *praetores duoviri*, but they may be officers of Sullan colonies established on the three sites.[45] If, as Beloch suggests, on admittedly dubious evidence, the Colonia Iunonia at or near Falerii belongs to this period, there were assignments, presumably from public land,[46] in the Horatia, which became the tribe of Falerii after the Social War. Dertona in Cisalpine Gaul (ca. 120) was put in the Pomptina,[47] but the colony founded in the same region at Eporedia in 100 was added to the widely extended Pollia.

Colonies founded outside the boundaries of Italy in this period were added to the Pollia and to another large tribe, the Velina. Narbo

[44] See Appendix.

[45] *RG* 493–97. Beloch notes that Narbo Martius in Narbonese Gaul, c. c. R. 118, also had *praetores duoviri* as its chief magistrates, and finds no evidence that the title was used in Sulla's colonies. But Degrassi, *Quattuorviri* 316 f., thinks it likely that Abellinum was a colony of Sulla. Fraccaro on his map marks Abellinum as allied territory before the Social War. Beloch's suggestion that the name Livia given to the colony at Abellinum came from Livius Drusus is unlikely. In order to establish Grumentum as a citizen colony before the Social War, Beloch (who has been followed by many scholars) had to discount the evidence of a contemporary, Claudius Quadrigarius (fr. 80 Peter, quoted by Seneca, *Benef.* 3. 23, 2) for the Roman capture of Grumentum, with a story that clearly indicates that the people of Grumentum were not on the Roman side. The story may be apochryphal, but the setting is credible. Similarly Beloch is unconvincing in his argument that Pontius Telesinus, a leader in the revolt, was not a native of Telesia. (See also Salmon, *Social War*, n. 30.) I accept the view of Mommsen, *Gesam. Schr.* 5. 205 ff., that Abellinum, Grumentum, and Telesia were colonized by Sulla, for whose colonies, as for those of the Gracchan period, adjectival names taken from gods were used. I consider all three allied communities until the Social War.

[46] Falerii had its site moved after its rebellion and conquest in 241, and the town lost half its *ager* (Zon. 8. 18). The Colonia Iunonia, which has the name of the chief divinity of Falerii, is mentioned only in the *Lib. col.* p. 217 L, *colonia Iunonia quae appellatur Faliscos a triumviris adsignata.* Cf. Pliny, *N.H.* 3. 51. See Bormann's discussion, *CIL* 11, p. 465. The *Faliscus ager* of Cicero, *Leg. agr.* 2. 66, indicates that there was public land in the region in 63. There is no evidence for a colony until Gallienus. See Beloch, *RG* 495, 515 f. M.W. Fredericksen and J.B. Ward Perkins, *PBSR* 25 (1957), 131 f., are skeptical about the Colonia Iunonia.

[47] On Dertona, see Fraccaro's important paper, "La colonia romana di Dertona (Tortona) e la sua centuriazione," first published, *Opusc.* 3. 123–50.

Martius, established in the Transalpine province in 118, was, as Gallic territory, originally in the Pollia, though the later colonists settled there by Caesar were in the Papiria.[48] Pollentia and Palma in the Balearic Islands, colonized by Caecilius Metellus Balearicus in 123, were in the Velina.[49]

The probable additions to the rural tribes before the Social War are listed below, with indications of separated areas. A query before the name of a town means that the tribe is uncertain; a query after the name means that the tribe is established, but the date of enfranchisement is uncertain. The citizen groups are, for convenience, listed throughout by names of communities, with dates of establishment of citizen colonies (c. c. R.), but it is to be noted that ancient sources in comments on enfranchisement regularly refer to peoples, not places, the Formiani, not Formiae.[50] My use of names of communities implies no stand on the date of municipal institutions.

Aemilia, old tribe; separated district, Fundi and Formiae 188.
Aniensis, 299, extended to ? Afilae, Treba, Trebula Suffenas; ?Capitulum Hernicum.
Arnensis, 387, extended to ? Forum Clodi.
Camilia, old tribe, perhaps extended to land taken from Tibur, 388; separated area, Pisaurum, c. c. R. 184 and Suasa Senonum.
Claudia, old tribe (495?) extended to Fidenae; separated district, Aequicoli (res publica Aequicolorum and Cliternia); also ?Colonia Neptunia near Tarentum.
Clustumina, 495?; separated district, Forum Novum in Sabine territory and adjoining Interamna Nahars? and Carsulae?.

[48] For the Pollia as the original tribe of Narbo Martius, see Hirschfeld, *CIL* 12. p. 522; his view was disputed by Kubitschek, *IRTD* 210 f. But see the forceful arguments of C. H. Benedict, *A History of Narbo* (Princeton 1941) 29–34.

[49] The three thousand citizens from Spain that Metellus settled in the islands are described by Strabo, 3. 168, as ἐποίκοι. Cf. also Pompon. Mela 2.124. On the uncertainties about their status, see Vittinghof, *Kolonisation* 55, n. 6. For the Roman citizens settled by the elder Scipio at Italica in Spain (205) and by M. Claudius Marcellus at Corduba (152), see his discussion, p. 72. It is doubtful whether their organization in the Sergia and the Galeria respectively is to be dated before Caesar.

[50] See also the list of communities in Italy, arranged under the Augustan regions, in Chapter 11 and the list by tribes of communities and senators in Chapter 14. In both lists there are indications of date of enfranchisement, with references in Chapter 11 to my discussions for cases where my tribal assignments and dates differ from those of Kubitschek and Beloch. In other cases, for evidence of date of enfranchisement, see Beloch's *RG*; in his excellent index the basis for placing enfranchisement before the Social War (names of magistrates, *praefecturae*, etc.) is usually given.

Cornelia, old tribe; separated districts, Arpinum 188 and ?Verulae;[51] Croton in the Bruttii, c. c. R. 194, perhaps with adjoining land; also Fulginiae in Umbria.

Fabia, old tribe; separated district, Eburum? in Lucania, perhaps with adjoining land.[52]

Falerna, 318; extended to Puteoli, c. c. R. 194, ? Volturnum, c. c. R. 194, to Acerrae, ?Atella Caiatia?, Forum Popili.

Galeria, old tribe, perhaps extended to Veientane territory, 5th cent.; separated districts, Luna, c. c. R. 177, and perhaps land assigned to Scipio's veterans (in Hirpini?).

Horatia, old tribe, extended to Aricia after 338; separated district, Colonia Iunonia? at Falerii.

Lemonia, old tribe...

Maecia, 332. Lanuvium probably in original tribe.

Menenia, old tribe; perhaps extended to Pedum and land taken from Praeneste after 338; separated district ?Salernum, c. c. R. 194.

Oufentina, 318, included Tarracina, c. c. R. 329; extended to Frusino; separated district, Forum Flamini and Plestia in Umbria.

Papiria, old tribe; extended to Tusculum, 4th cent.; separated district, ?Castrum Novum on Adriatic, c. c. R. 289?

Poblilia, 348, extended to Anagnia.

Pollia, old tribe; separated districts, Aesis, c. c. R.? 247, Fanum, Forum Semproni and Ostra after 232; in Aemilia, Mutina and Parma, c. c. R. 183 and, after 173, Claterna, Faventia, Forum Corneli, Forum (later Regium) Lepidum; in Ligurian territory, Carreum-Potentia, Forum Fulvi, Forum Germa[norum], Hasta, Industria, Pollentia, Vardagate; Eporedia, c. c. R. 100; Narbo Martius in Transalpine Gaul, c. c. R. 118.

Pomptina, 348; separated district, Buxentum, c. c. R. 194, perhaps with adjoining land; Tegianum?; in Ligurian territory Dertona, c. c. R. ca. 120.

Pupinia, old tribe; separated districts, Trebula Balliensis? in Campania and Forum Brentanorum in Umbria.[53]

[51] On Verulae, see Beloch, *RG* 508, where his doubts about the Cornelia as the tribe seem to me too strong.

[52] Beloch (*RG* 509, 511) and Fraccaro on his map assign Eburum (Eboli) in this tribe to *ager Romanus* before the Social War. Its magistrates were *duumviri*. It was apparently in the *ager Picentinus*, adjoining the Latin colony Paestum (273). The Gracchan terminal stone found in the territory of Volcei (later in the Galeria) proves that there was *ager publicus* in the vicinity.

[53] On Trebula Balliensis, see n. 27 above; Forum Brentanorum or Brentani, whose site in northern Umbria has not been identified, was in the Pupinia. See *CIL* 11. 6055. Cf. Weiss, s.v., *RE*.

Quirina, 241, extended to Amiternum, Nursia and Reate in Sabine territory and to Aveia and Peltuinum in Vestini.

Romilia, old tribe, perhaps extended to Veientane territory, 5th cent.

Sabatina, 387; separated district, Praefectura Saturniensis with Saturnia, c. c. R. 183 and Praefectura Statoniensis (Visentium).

Scaptia, 332, extended to Velitrae.

Sergia, old tribe; separated district, Cures Sabini, 268, Trebula Mutuesca; perhaps Superaequum in the Paeligni.[54]

Stellatina, 387, extended to Capena; perhaps also by extension to Graviscae, c. c. R. 181; separated district, Forum Livi.

Teretina, 299, included Minturnae and Sinuessa, c. c. R. 296, extended to Allifae, Atina, Casinum, Teanum Sidicinum?[55] Venafrum.

Tromentina, 387; separated district, Fabrateria Nova, c. c. R. 124.

Velina, 241, extended to Interamna Praet.; after 232 to Picenum[56]– Cingulum, Cupra Maritima, Falerio, Pausulae, Planina, Recina, Septempeda, Tolentinum, Trea, Castrum Truentum,

[54] If the Παλινίους or Παληνίους of Diodorus 20. 90. 3, some of whom received citizenship in 305 (or 304) are the Paeligni (see n. 27 above for another suggestion), the Sergia, the later tribe of all the Paeligni, was in the region before the Social War. Superaequum there, in a region which has produced no Paelignian inscriptions, had *duumviri* as chief magistrates, and Rudolph (*SSRI* 52) and Bernardi (*Cives s.s.* 260–62) hold that the region was enfranchised before the Social War. But that was not the view of Beloch (*RG* 509 f., 599) and the district is marked as allied territory on Fraccaro's map. The uncertainty of the reading in Diodorus makes it impossible to decide the question.

[55] Teanum Sidicinum (cf. *CIL* 10. 4795, with p. 1189) is now shown by *ILS* 9389 to have been in the Teretina. On this inscription of a *iiiivir iur. dic.* in that tribe, see Degrassi, *Riv. Filol.* 16 (1938) 140–43, esp. 141, n. 1. The inscription proves the existence of *quattuorviri* at Teanum (which Beloch doubted) and supports Beloch's view (*RG* 389) that citizenship was not awarded until after the Social War. But the site of Teanum and the evidence for Sidicini serving in a detachiment at Rhegium with Campani (Chap. 5 n. 68) make me hesitant. See Mommsen, *CIL* 10 p. 471, with the suggested identification of the Sidicini with the *pars Samnitium* enfranchised after the Latin War (Chap. 5, n. 54).

[56] In the Picene list in the Velina there is doubt about the site of Planina and the date of the c. c. R. at Auximum. Planina, whose tribe is established (see *IRTD*), is not on Fraccaro's map or on the map in *CIL* 9, but the location at Monteroberto on the right bank of the Aesis is probable, and has been adopted tentatively on our map. The one inscription that Mommsen reports from there (9. 5714) records the Velina, known as the tribe from *CIL* 3. 6202. On the site, see Mommsen *CIL* 9, p. 544 and the articles "Pla-

Urbs Salvia; Auximum, c. c. R. 157?, Potentia, c. c. R. 184; separated district, Pollentia and Palma in the Balearic Isles, c. c. R. 123?

Voltinia, old tribe; separated districts, perhaps viritane assignment to Scipio's troops in Samnium, 200; Aufidena?; also ?Castrum Novum in Etruria, c. c. R. 264?

Voturia, old tribe, included Ostia, later c. c. R.; extended to ?Antium, c. c. R. 338; perhaps extended along coast to ?Caere.

There are many uncertainties in this list, and the evidence is incomplete, particularly in southern Italy, where, because of a dearth of inscriptions, we may not have information about citizen settlements in the vicinity of *ager publicus* annexed after the Second Punic War. But it is to be noted that there is no really important community whose tribe is unknown.

The following tribes were now divided: Aemilia, Camilia, Claudia, Clustumina, Cornelia, Fabia?, Galeria, Horatia?, Menenia?, Oufentina, Papiria?, Pollia, Pomptina, Pupinia, Sabatina, Sergia, Stellatina, Tromentina, Velina, Voltinia. The older rural tribes whose original tribal area lay in old Latium predominate in the list. Among these the Cornelia had three separate divisions. Of the later tribes which were divided, the Oufentina and the Pomptina were hemmed in by other tribes and could not expand on their original sites, and three Veientane tribes, Sabatina, Tromentina, and Stellatina, were limited in extent by the territory of Etruscan allied communities.

It was in general the more distant later tribes, the Teretina, the Falerna, the Quirina, and the Velina, which had had the greatest extension from their original sites. But the tribe of by far the widest extent was the ancient Pollia, which, if I have located its original site correctly, was in a position where no expansion was possible. The extension of the tribe developed from a separated district in the *ager Gallicus*. These large tribes would have been able to supply more recruits for the legions than the smaller tribes near Rome, where the gradual decline in the numbers of farmers who manned the legions led to the breakdown of the old system of recruitment by tribes, and to the eventual substitution under Marius of the professional army from the proletariate of Rome and the citizen communities.[57]

nina " in *RE* and *Encic. Ital.* The colony of Auximum is dated by H. Kasten, *Phil. Woch.* 54 (1934) 669 in 128, a date accepted by Salmon, *Colonization 2*, 66, n. 15. Kasten's argument is ingenious, but I hesitate to reject the conflicting evidence of Livy, *Per.* 48.

[57] Enrollment of the proletariate in the legions had gone far before Marius' reform. See E. Gabba, *Athen* 27 (1949) 173–209.

The inequalities between the large tribes at a distance and the small ones in the vicinity of Rome must have been less marked in the comitia, for only limited delegations could come from the distant Velina and Pollia. Consideration of the number of voters who would come to the comitia was clearly a factor in the expansion of certain tribes, and particularly of these two which had been marked out for distant voters from the time of Gaius Flaminius.

But even at the comitia the inequalities in the tribes must have been marked. It is too bad that we have lost the satire in which Lucilius *primores populi arripuit populumque tributim*,[58] for the two fragments preserved show that he was interested in the origin of the voters. There may have been men in smaller tribes from communities of unknown tribe, but no large groups. There were surely more voters in the late second century from the enlarged Cornelia and Aemilia, and from the Teretina with its good communications, than from the Arnensis in desolate southern Etruria, or from the Camilia, the Fabia, the Menenia, and the Pupinia, the additions to which are doubtful or small or far away from Rome. The Maecia and the Scaptia, though without any known additions outside the periphery of the tribal area, would have been able to send goodly delegations from Lanuvium and Velitrae. But the Romilia and the Lemonia, and particularly the latter, whose site outside the Porta Capena could not be extended, must have had few voters by the time of the Gracchi.

On the administration of the tribes and their relation to the municipalities in the tribal areas we have no reliable information. The original tribal areas, regularly, it would seem, without walled towns, had been extended to include not only aggregations (*conciliabula*) of Roman citizens in the vicinity, but also peoples settled in *oppida* and possessing local magistrates. If the additions to the tribes were contiguous, there could have been joint administration, but that was hardly possible with divided tribes. Moreover, local municipal organization was developing and increasing in strength. Probably the local authorities took on some of the functions of the tribes, perhaps fostering the efforts of Roman officials to raise levies for the legions and encouraging their peoples to go to Rome for the comitia. But the original areas of all the rural tribes may have continued to exist until the Social War, when they were all dissolved and attributed to old communities in the same tribe or formed into new municipalities.

I have tried to show in this chapter that there were originally two methods of expanding tribes, first, by direct extension of area, and second, for tribes whose old site could not be increased, by the creation of new divisions in the same orientation from Rome as the

[58] See Chap. 3, with. n. 4.

original territory. The first method continued to be applied, even, to a limited extent, after the Social War, but the second method was abandoned early in the second century. After that, though there may have been some effort to equalize the tribes, factional politics seems to have entered into the creation of new divisions. That was notably true of the attribution, probably under the elder Scipio's influence, of Fundi and Formiae to the Aemilia, and Arpinum to the Cornelia, in regions where adjoining tribes could easily have been extended. The tribes had become markedly unequal in land and manpower, and the inequalities contributed to the decline of the legionary levy by tribes. They were unequal also, though less strikingly so, in the number of voters who could come to the comitia in Rome, for the largest tribes were far away. The role of the leading men of the state in these developments will be considered in the concluding chapter.

CHAPTER 8

DISTRIBUTION OF ITALIANS IN RURAL TRIBES AFTER THE SOCIAL WAR

The enfranchisement of the allied peoples south of the Po, which resulted from the Social War, produced a complicated problem in the tribal enrollments of the vast number of new citizens. The problem was met originally by the institution of new tribes for the new citizens, but after a bitter struggle, in which the Italians were encouraged by certain Roman political figures, the new tribes were abandoned, and eventually the allies were all registered in the thirty-one existing rural tribes. The development of events is difficult to reconstruct because of the inadequacy and the conflicting character of the sources. I give the story here as I reconstruct it, accepting often the interpretations of Harold Bennett,[1] and refraining from discussing many of the divergent interpretations of modern scholars.

Before taking up the tribes I shall consider briefly the process that led to the awards of citizenship. The revolt known as the Social War broke out in the central Apennines after the tribune of the plebs of 91, M. Livius Drusus, failed in his move to give citizenship to the allied peoples of Italy. When disaffection had extended to the south and threatened to extend to Umbria and Etruria, the consul of 90, L. Julius Caesar, in order to limit the revolt, sponsored a law which gave citizenship to all the Latins and to the allied peoples who had not revolted.[2] A tribunician law of the following year, the Lex Plautia Papiria, awarded citizenship to all men enrolled in allied communities who had residence in Italy and who had registered with a praetor within sixty days, that is, to all Italians who had individually remained faithful to Rome and were able to register with the

[1] *Cinna and his Times*, Menasha, Wis., 1923. The recent discussions, including his own papers, are cited in detail by E. Gabba, in his edition of Appian, *B.C.* 1, where the notes are always valuable.

[2] Cic. *Balb.* 21: *ipsa denique Iulia qua lege civitas est sociis et Latinis data*; Gell, 4. 4. 3 (from Servius Sulpicius Rufus): *ad id tempus quo civitas universo Latio lege Iulia data est*; cf. Cic. *Fam.* 13. 30: *ante civitatem sociis et Latinis datam.* For the terms of the Lex Julia without specific reference to it, see Vell. 2. 16. 4: *recipiendo in civitatem qui arma aut non ceperant aut deposuerant maturius*; see also Vell. 2. 20. 2 and Appian, *B.C.* 1. 49, quoted in n. 6 below. This law (or another Lex Julia) gave commanders the right to grant citizenship *de consili sententia*; see *ILS* 8888.

praetor.[3] In that same year, through a law passed by the consul Cn. Pompeius Strabo, the peoples of communities north of the Po, and perhaps some of the Ligurians, were given the position of Latin colonies, which meant that their magistrates would be enrolled as Roman citizens. By the year 88 practically all the peoples who had revolted, except the Samnites and some of the Lucanians, had laid down their arms. The men who had surrendered were promised citizenship by the senate in 87.[4] At the time the Samnites were still in arms, and L. Cornelius Cinna, the deposed consul, who was raising forces against the senate, agreed to their demands for citizenship and restitution of property, which the representatives of the senate had refused.[5] Laws were still needed to confirm the promises of citizenship, but after 87 all the Italians seem to have had some form of citizenship in prospect.

But, meanwhile, the registration of the new citizens in the tribes had become a subject of violent strife both among Roman politicians and among the recipients of citizenship. There are, as we shall see later, indications that the fight over registration concerned not the Latin colonies, but the Italian allies, both those who had remained faithful and those who had shared in the revolt. The problem was tremendous, for there was danger that the old citizens might be outvoted in the assemblies by the large numbers of new citizens. The Lex Julia had solved the problem at least for the Italians by providing for the creation of new tribes. They would have been larger voting units than old tribes, and the individual votes would have counted less than the votes of the old citizens. But there was a further disadvantage for the new citizens. Their tribes were to be called to vote after the thirty-five old tribes had cast their ballots, and often a decision on a law would have been reached before they were called.[6]

[3] Cic. *Arch.* 7; *Schol. Bob.* 175 Stangl. The Lex Calpurnia, which provided for the award of citizenship *virtutis ergo* (Sisenna, frg. 120 Peter), is usually attributed to the same year. See Niccolini, *FTP* 225 f. But Carcopino, *Histoire romaine* 2. 1[3] (1952) 393 f. dates it before the Lex Julia. His view is accepted by E. Gabba, *GuerraSoc* 87 ff. See n. 6 below.

[4] Gran. Licin. p. 21 Flemisch (87 B.C.): *dediticiis omnibus civitas data qui polliciti multa milia militum vix XVI cohortes miserunt.* Livy, *Per.* 80 (under 87): *Italicis populis a senatu civitas data est.* Senatorial action would presumably have been followed by a law.

[5] Gran. Lic. *l.c.* See Bennett, *Cinna* 16 f.

[6] Appian, *B.C.* 1. 49, reports a senatorial decree promising citizenship to the allies who were faithful, a measure that was sent to the cities and that resulted in holding the Etruscans in alliance. Appian goes on (1. 49. 214–15) in an account that must describe the Lex Julia: Ῥωμαῖοι μὲν δὴ τούσδε τοὺς νεοπολίτας οὐκ ἐς τὰς πέντε καὶ τριάκοντα φυλάς, αἷ τότε ἦσαν αὐτοῖς, κατέλεξαν, ἵνα μὴ τῶν ἀρχαίων πλέονες ὄντες ἐν ταῖς χειροτονίαις ἐπικρατοῖεν, ἀλλὰ δεκατεύοντες

The Italians were naturally dissatisfied with such second-class citizenship, and there were Roman politicians ready to take advantage of their dissatisfaction. Hence the censors elected in 89, one of whom was the author of the Lex Julia, did not succeed in making a census of the people.[7] The new tribes had been authorized, but no one was registered in them, and they never came into being. We do not know the name of any of them.

The Roman politician mainly responsible for the failure of the registration was P. Sulpicius Rufus whose term as tribune of the plebs began on December 10, 89, while the census was in progress. Sulpicius included in his revolutionary legislation a bill to enroll the Italians in the old tribes. In spite of the opposition of the consul Sulla, who interposed religious obstructions, the bills of Sulpicius were passed with the aid of bands of Italians agitating in the city[8] and of Marius,

ἀπέφηναν ἑτέρας, ἐν αἷς ἐχειροτόνουν ἔσχατοι. καὶ πολλάκις αὐτῶν ἡ ψῆφος ἀχρεῖος ἦν, ἅτε τῶν πέντε καὶ τριάκοντα προτέρων τε καλουμένων καὶ οὐσῶν ὑπὲρ ἥμισυ. ὅπερ ἢ λαθὸν αὐτίκα ἢ καὶ ὡς αὐτὸ ἀγαπησάντων τῶν Ἰτκλιωτῶν ὕστερον ἐπιγνωσθὲν ἑτέρας στάσεως ἦρξεν. As an emendation for Appian's much discussed δεκατεύοντες I am attracted by δέκα τινάς, suggested without source in the eighth edition of Liddell and Scott. (The note in the ninth edition is incorrect.) In any case Appian seems to be referring to ten new tribes. Sisenna also referred to new tribes (frg. 17 Peter): *L. Calpurnius Piso ex senati consulto duas novas tribus.* Velleius, 2. 20. 2, to judge from correspondence between him and Appian, had new tribes in mind in his statement (but see Gabba's note; he refers the passage to the Lex Plautia Papiria): cum ita civitas Italiae data esset, ut in octo tribus contribuerentur novi cives, ne potentia eorum et multitudo veterum civium dignitatem frangeret plusque possent recepti in beneficium quam auctores beneficii, Cinna in omnibus tribubus eos se distributurum pollicitus est. But Kubitschek and others argued that the passage means that the rebels were put in eight old tribes. See notes 30–31 a. For the suggestion that the eight tribes of Velleius and the two of Sisenna should be combined to make the ten of Appian, see T. Rice Holmes, *RR* 1. 356 and M.A. Levi, *La costituzione romana* (Florence 1928) 159. The number of new tribes, which never came into being, is unimportant for this discussion. Biscardi's intricate theory (*Par. del Pass.* 6 [1951] 241–56) on the relation of the supernumerary tribes to the vote in the centuriate assembly has been refuted by Gabba, *GuerraSoc.* 93 ff., with reference to Fraccaro's demonstration (*Opusc* 2. 244 f.) of the relation of the law to legislative tribal voting. See Salmon, *Social War.*

[7] The *lustrum* was founded by these censors, but the rolls of the people were not complete. That is the meaning of *nullam populi partem esse censam* (Cic. *Arch.* 11). See Mommsen, *RSt* 2^3, 342, n. 3. The immediate appointment of censors after the Lex Julia, and again after the legislation of Cinna in 87, is in accord with the evidence that each individual in an enfranchised people had to have his citizenship confirmed by registration. See Chap. 2.

[8] Appian, *B.C.* 1. 55. 56. For the evidence for the events of 88–87, see Bennett, *Cinna* 1–17; *MRR* under the years 88–87, and Niccolini, *FTP* under 88.

who under one of the bills was given Sulla's command against Mithridates of Pontus. Thereupon Sulla, who had left the city to prepare for the expedition, returned, drove out Sulpicius to his death, sent Marius into exile, and revoked the legislation.[9] But the Italians were bitter, and in the next year the consul Cinna, repudiating his oath to support Sulla's laws, brought up again the law on the distribution of the new citizens in the old tribes (Appian, *B.C.* 1. 64). There were masses of Italians in Rome to agitate for the bill, and there was violent opposition from the old citizens, whose cause the other consul Octavius espoused. Cinna's bill was vetoed in a scene of threatened violence, and Cinna himself left the city and was deposed from the consulship. Cinna went about the Italian towns, seeking funds and troops to aid him in supporting their cause. There was soon widespread revolt, augmented by the return of Marius and by an alliance with the Samnites, for whom Cinna's promise of citizenship doubtless included registration in the old tribes. It was then that Octavius and the senate made the offer of citizenship to the Italians who had already surrendered, but their offer could hardly have included the favorable registration that Cinna was ready to sponsor, and that may be the reason why the troops that the senate had stipulated were to be provided by the Italians were far less numerous than had been expected.[10] There followed the march of Cinna and Marius on Rome, their victory over the forces of the senate, the removal by murder or voluntary suicide of the consul Octavius, of his colleague, L. Cornelius Merula, chosen to replace Cinna, and of other prominent men of

[9] Of interest for the tribes was Sulla's proposal (Appian, *B.C.* 1. 59. 266), apparently carried out by a law, that voting should take place not by tribes, but by centuries: εἰσηγοῦντο . . . τὰς χειροτονίας μὴ κατὰ φυλάς, ἀλλὰ κατὰ λόχους ὡς Τύλλιος βασιλεὺς ἔταξε γίνεσθαι; the result was that matters would be in the hands of the well-to-do and not of the poor, νομίσαντες . . . οὔτε τὰς χειροτονίας ἐν τοῖς πένησι καὶ θρασυτάτοις ἀντὶ τῶν ἐν περιουσίᾳ καὶ εὐβουλίᾳ γιγνομένας δώσειν ἔτι στάσεων ἀφορμάς. Mommsen (*RSt* 3. 270, n. 1) held that this meant that Sulla restored the centuriate assembly to the old organization that had existed before the third century reform, but Eduard Meyer's opinion that the measure provided that all legislation should go to the centuriate, and not to the tribal assembly (see *Hermes* 33 [1898] 652–54), has been widely accepted; it is supported by the fact that Appian is speaking at the same time of a measure to require the *auctoritas senatus* for all laws. But E. Gabba, (see his note on the passage with references to earlier discussions) revives the view of Mommsen. I agree with him. The new tribes would have provided special reason for a restoration of the old centuriate assembly, for they would have destroyed the organization of the reformed assembly based on thirty-five tribes.

[10] See n. 4 above. The major sources for the events are Appian and the *Periochae* of Livy.

their party. Cinna assumed the consulship again and had himself and Marius made consuls for the next year, 86. The records of the period are filled with stories of vengeance and murder, and with accounts of Marius' death in the first month of his seventh consulship, and there are no further details on citizenship at this time.

But, according to Appian, the laws of Sulla were revoked, and that must mean that the laws of Sulpicius were, in general, reënacted.[11] One can hardly doubt that Cinna, to reward the Italians who had supported him, made provision anew for their enrollment in the old tribes. That full provision for them was made by 86 is indicated by the appointment of censors in this year.[12] It is noteworthy that, unlike their predecessors three years before, these men were successful in registering the people. Since the censor's office lasted no more than eighteen months, the task would have been finished in 85.

These censors, we must assume, carried out their task in the interests of Cinna and his party. And those interests were largely concerned with the new citizens, including the men who had taken part in the revolt, for they were the allies of Cinna against Sulla and the senate. It is surprising that the census figure for the total number of able-bodied men in the population shows only a 17% increase over the last recorded figures for 115 B.C.[13] But men had to come to Rome for the census, and it is likely that only a limited number could come. The men registered would have been primarily those with money and influence, who had supported the cause of Marius and Cinna. They would have belonged mainly to the first class, the group whose votes counted most in the centuriate assembly.

This registration presumably omitted many men of lower income groups whose votes, though they counted little in the centuriate assembly, were important in the tribal assembly, where every vote with-

[11] See Appian, *B.C.* 1. 73. 339: ἀνατροπαὶ τῶν ἐπὶ Σύλλα τεθέντων νόμων. See Strachan-Davidson's note, *Appian, Book* 1 (Oxford 1902) on this passage, with the conclusion that Appian is to be preferred to Livy, *Per.* 84, on the date of the enrollment of the Italians in the tribes. Bennett follows the same interpretation, *Cinna* 36.

[12] Of the two censors, M. Perperna's earlier associations are not altogether clear, but L. Marcius Philippus, as consul in 91, had fought relentlessly against M. Livius Drusus' program, including the enfranchisement of the Italians. It is curious that he now found himself in the position of enrolling the Italians in the old tribes. But his acceptance of the censorship at this time indicates that he was cooperating with Cinna. See Chap. 16.

[13] The figures are 394,336 for 115; 463,000 for 85, according to Hieronymus, and apparently 491,000 in Phlegon's fragmentary text; 900,000 (or 910,000) for 69. The figures for 85 have often been emended, but they are accepted by T. Frank, "Roman Census Statistics," *CP* 19 (1924) 329 ff., where it is pointed out that even in 69 many men did not go to Rome to register.

in the tribe was of equal value. These men would not need the action of censors to underwrite their vote, and it was with them, I would suggest, that the senate was concerned when it passed a decree in 84, after Cinna's death. *Novis civibus senatus consulto suffragium datum est* is the laconic statement of the epitomator of Livy (84) on this decree. It has usually been taken to mean that in that year and not in the census of 86–5 all the Italians were distributed in the thirty-one rural tribes.[14] But I suggest that the action of the censors had taken care of the classes, and particularly of the first class, and that the senate may have been concerned with the less restricted vote of the tribal assembly. Men who registered with the urban praetor would thus, in the interval before another census, have been accepted as voters in the tribes, though not in the classes of the centuriate assembly.

Not only the new citizens, but also the freedmen presented a burning question in these years, as indeed they often had, from the days of Appius Claudius. I shall discuss in Chapter 10 the fragmentary evidence for Sulpicius' law on the subject and for the subsequent action of Cinna and his party.

As to the method adopted in assigning tribes to the new citizens, it is to be noted that the people had not entirely lost their law-making powers under the domination of Cinna. There is some evidence that Cinna's earlier measures were carried out by laws. The constitution of the new municipalities throughout Italy, with *quattuorviri* at the head, was probably the subject of the Lex Cornelia, under which a man in Petelia in Bruttium claimed to hold the office of *quattuorvir*. The law has often been attributed to Sulla, but the suggestion of Hardy that it was Cinna's law is more likely.[15]

This same law probably provided for the municipal organization of Italy that we know after the Social War. Under it all the land except *ager publicus* was assigned to municipal centers of various types, and the areas of viritane holdings in the rural tribes were dissolved. The result was the organization of various new municipalities, particularly in the vicinity of Rome. Some of them replaced the old tribal areas.[16] After this time every Roman citizen had a *domus*,

[14] Bennett's view, *Cinna* 44, is that this decree of the senate simply confirmed the tribal assignments made by the censors. This was the opinion of Mommsen, *Röm. Gesch.* 2. 314 f., but later (*RSt* 3. 180, n. 1 and 2) he explained the statement as carelessness on the part of the epitomator.

[15] *CIL* 10. 113, cf. 114 (*ILS* 6469). See E. G. Hardy, *Some Problems of Roman History* (London 1924) 283 ff.; Rudolph, *SSRI* 94 ff., 118 n; Tibiletti s.v. "Lex," *DE* 720 (1956).

[16] The comprehensive reorganization of Italy may have been based on precedents in the Lex Julia or the Lex Sulpicia on citizenship. On the Ager Latiniensis as a probable replacement for the old Pollia, see Chap 4 with n. 17;

either in Rome or in a community of Italy, and for the latter group the tribe was the tribe of the *domus*.

It is likely that, as was true in the law of 188 on Formiae and Fundi, the tribes of the individual towns were settled by laws on the basis of which the censors made their registrations. There is a fragment of a law concerning Tuder in Umbria, though nothing in the surviving bit concerns the tribe.[17] The tribes assigned included all the thirty-one rural tribes except the largest, the Pollia. How were the tribes of the various communities determined?

The Tribes of the Latin Colonies

The first group to be considered is the favored class of Latins, and particularly the thirty odd Latin colonies, bastions of Rome throughout Italy, closely bound to the capital by the fact that their settlers had been largely made up of Roman citizens. I suggest that these Latin colonies had their tribes determined by the Lex Julia on the basis of earlier arrangements. It is striking that in the accounts of the struggle for registration in the old tribes the emphasis is on new citizens and Italians, without a word on the Latins. The enfranchisement of the Latins is, on the other hand, specifically referred to in the sources on the Lex Julia.[18] It is inherently unlikely that the Latin colonies, whose faithfulness had been notable in the Social War, would have been given the second-class citizenship designed for the allies in general.[19]

on Ager Clustuminus, Chap. 4, n. 5; on municipium Veiens for the Tromentina, Chap. 5 with n. 4; on Ulubrae for the Pomptina, see discussion of tribe, Chap 5; on Ager Hernicus for the Poblilia, Chap. 5 with n. 19. For the new municipalities in Latium, Bovillae and Castrimoenium, see Chap. 6 with n. 26.

[17] Sisenna, frg. 119 Peter: *Tamen Tudertibus senati consulto et populi iussu dat civitatem.* For the suggestion that the tribes may have been fixed in 87, see Chap. 16.

[18] For the Lex Julia, which dealt with both Latins and Italians, see n. 2 above. On Italians in later discussions, see Livy, *Per.* 80, 84, 86; Appian, *B.C.* 1.55. Salmon, *Social War* 183 f., agrees with me that the tribes of Latin colonies were assigned before the time of the Lex Julia.

[19] I have limited my discussion to the Latin colonies, excluding the old Latin towns Tibur and Praeneste and other towns, the Hernican, for instance, which may have acquired similar status (see Mommsen, *RSt* 3. 607–44; E.T. Salmon, *The Phoenix* 7 [1953] 126) because I believe that the Latin colonies alone had citizenship for their local magistrates. Only the colonies are mentioned for that privilege by Asconius, 3 C, in his account of Pompeius Strabo's award to the Transpadani: Pompeius enim non novis colonis eas ⟨Transpadanas colonias⟩ constituit sed veteribus incolis manentibus ius dedit Latii, ut possent habere ius quod ceterae Latinae coloniae, id est ut petendo magis-

Unlike the Italian allies, Latins had certain privileges of citizens, and could acquire full citizenship without special action of the people. Latins who were present at Rome at the *comitia tributa* could vote, though the power of their vote was limited by the fact that they were all placed in one tribe chosen by lot just before the balloting began. It was also the right of the Latin who took up residence in Rome to present himself at the census and to secure, without special action, enrollment in a tribe and full citizenship. This right was eventually curtailed because of the depletion of the Latin colonies, and it was finally abolished in 95 B.C.

At some time before 123 B.C. the Latin colonies had won another and a far more important privilege. Their local magistrates and the magistrates' children were granted citizenship. As Tibiletti has shown, the most likely time for this grant is 124, immediately after the revolt and destruction of the Latin colony Fregellae.[20] It would have been designed to win the allegiance of other Latin colonies. It seems to have had that effect in the Social War, when there may have been in each Latin colony as many as a hundred Roman citizens, drawn

tratus civitatem Romanam adipiscerentur. Two citizens of Tibur, who from Cicero's description (*Balb.* 53–54) should have been in the office-holding class not long before the Social War, were not citizens, for they acquired citizenship through successful prosecutions (see next note). I agree with Fraccaro that the *ius Latii*, a term used only of the colonies, developed not from the old Latins, but from Rome's relations with her own former citizens in the Latin colonies. See his *OrgPol* 197 f. (disputed by Vitucci, s. v. "Latium," *DE* 442 [1947]).

[20] *PCL.* See also his *LR* 46 ff. for his convincing identification of the *lex repetundarum* (*CIL* 1^2. 583) with Gaius Gracchus' extortion law of 123. Sections 76–77 of this law provide for citizenship in the tribe of the accused for anyone, apparently Latin or ally, who brought a successful prosecution. See my *PP* 113–16 and Helen E. Russell, *Advancement in Rank as a Reward for the Soldier and the Public Prosecutor*, University Microfilms (Ann Arbor 1955). The next section of the *lex repetundarum* (78) seems to apply only to the Latins. It offers Latins who had not held magistracies either citizenship or the *ius provocationis*, with certain other privileges. This section provides the evidence that the magistrates of Latin colonies already had citizenship at the time, that is, 123. Similar rewards were offered, notably in the Lex Servilia (Cic. *Balb.* 54) and the Lex Bantina. (On the identification of these laws, see Tibiletti, *LR.*) The distinctions between Latins and allies in the fragmentary evidence present an unsolved problem, but, as I have pointed out, there is no evidence that the enfranchisement of magistratates concerned any Latins except the colonies. The magistrates of the Latin towns, who preferred to live under their own laws, perhaps received at the same time the *ius provocationis*. On the award of citizenship to magistrates of Latin colonies in the republic I do not share the doubts of D.W. Bradeen, *CJ* 54 (1959, 221–28.

from men of property and influence. It is significant that, except for Venusia in the heart of enemy country, all the Latin colonies were faithful to Rome in the war.

The magistrates of Latin colonies were, of course, included in the Roman census, and surely in the first class of the centuriate assembly. They were enrolled in rural tribes. How were these tribes determined? In towns granted Latin rights by Caesar, Augustus, and later emperors the tribe for the magistrates of each town was fixed, and all the ex-magistrates were in that tribe, even though the community as a whole lacked citizenship.[21] But there has been general acceptance of the view of Kubitschek (*Orig* 156) that in the republic the assignments were made to the Latins individually, with resultant diversity of tribes for the men of each Latin town. Such an arrangement would have diminished the value of the award of citizenship, for men from the same town in different tribes could have had no collective influence on the voting. Now, as I shall show in the next chapter, the Transpadani, who were given Latin rights by Pompeius Strabo in 89, did have collective influence and were probably assigned to a specific tribe in each community before the entire communities were enfranchised in 49. The Latin rights of the Transpadani were founded on the traditions of the Latin colonies, and the communities were given the fictitious status of colonies, though, as Asconius notes,[22] colonists were not sent out to them. There is no evidence for the enrollment of any citizen from a Latin colony in the subsequent tribe of the community,[23] and no evidence for collective influence for the Latin colonies before the Social War, but the situation among the Latin colonies under Caesar and the empire, and the collective influence possessed by the Transpadani in the late republic lead me to suggest that either when the grant of citizenship to magistrates was made, or shortly afterwards, the tribes were fixed for each colony. In that case the

[21] When Caesar and Augustus, and later the Flavians, gave Latin rights to cities of Gaul and Spain, it became customary to enroll the ex-magistrates immediately in a specific tribe, here, in each case, just one tribe for the region: the Voltinia for Caesar's awards in Gaul, chiefly in Gallia Narbonensis; the Galeria for awards of Caesar and Augustus in Spain; the Quirina for the Flavian grants of Latinitas in Spain. See Kubitschek, *Orig* 78 ff. On the general policy, see the excellent treatment of Vittinghof, *Kolonisation*, index, s.v. "Tribus."

[22] 3 C, quoted in n. 19 above. See Chap. 9 below.

[23] If the poet Lucilius and his brother, who were natives of the Latin colony Suessa Aurunca, enrolled in the Aemilia, were in the tribe of their relative C. Lucilius Hirrus (see Chap. 13), there is evidence to the contrary, but the Lucilii would have secured citizenship before the year 124, the likely time for the award to magistrates of Latin colonies.

Lex Julia would simply have provided for the enrollment of each colony in the tribe to which the magistrates had already been assigned.

The distribution of the Latin colonies, as far as their tribes are known, was as follows:[24]

Aemilia: Suessa Aurunca, site of an old Auruncan town, placed not in the Teretina, the tribe of the Aurunci, but in the tribe of neighboring Formiae; Copia and Vibo Valentia in Bruttium.

Aniensis: Carsioli in the Aequi, whose territory was in this tribe; Ariminum in Aemilia and Cremona in the Transpadana.

Claudia: Luceria in Samnium.

Fabia: Alba Fucens on the border of the Aequi; Luca in Etruria.

Horatia: Venusia in Apulia and Spoletium in Umbria.

Lemonia: Bononia in Aemilia.

Maecia: Hatria in the Praetuttii; Paestum in Lucania; Brundisium n Apulia.

Papiria: Sutrium in Etruria; Narnia in Umbria.

Poblilia: Cales in Campania.

Pomptina: Circeii, which adjoined the tribe.

Romilia: Sora on the border of Greater Latium.

Stellatina: Nepet in Etruria; Beneventum on the border of Samnium.

Teretina: Interamna Lirenas, which adjoined this tribe.

Tromentina: Aesernia in Samnium.

Velina: Firmum in Picenum, most of which was in the Velina; Aquileia in Istria.

Voturia: Placentia in Aemilia.

In this distribution six towns were placed in adjoining tribes: Suessa Aurunca in the Aemilia and Interamna Lirenas in the Teretina, divided between two neighboring tribal groupings; Circeii, which was put in the Pomptina, whose territory it joined; Carsioli in the Aniensis, the tribe of the region taken from the Aequi, to whom the site of Carsioli had also belonged; Nepet in the Stellatina, the tribe of neighboring Capena and of adjoining coastal regions; Firmum in the Velina, the tribe of Picenum.

[24] I have not included in this list Cora in the Volscians, probably a Latin town rather than a colony. See Salmon, *op. cit.* (in n. 19) 101. On the status of Luca as a Latin colony, see Tibiletti, *Athen* 28 (1950) 202 f., with just criticism of my mistaken attempt (*CP* 16 [1921] 27 ff.) to identify the Latin colony of Livy 40. 43 with Pisae. Luca was obviously a Latin colony established as a bulwark against the Ligurians. Against this view, see Salmon, *CQ* 27 (1933) 30–35.

The other twenty Latin colonies whose tribes are known[25] were placed in tribes that were not determined by proximity. In general the question of equitable division of tribes seems at least to have been considered. Of the very large tribes, the Falerna, the Quirina, and the Pollia received no additions, and the addition to the Teretina was simply an extension of area. The same thing is true of one of the additions to the Velina, but not of the other, distant Aquileia.

The two old Latin towns, Tibur and Praeneste, often thought to have shared the fortunes of the Latin colonies, had certainly not had their tribes fixed in advance, for their people were among the new citizens to whom Cinna appealed in his struggle with the senate. Tibur was put in the Camilia, Praeneste in the Menenia, two tribes that were small before the war. I have suggested, with special reason for the Menenia, that these were the tribes to which the *ager* taken from Tibur and Praeneste after the Latin War was assigned.[26] Another community, Cora, probably to be listed as a Latin town, was put in the Papiria, the tribe of Tusculum.

The Tribes assigned to Italians in the Revolt

I turn now from the most favored group, the Latin colonies, to the allies who had revolted against Rome. Here it is noteworthy that large groupings in a single tribe characterized the awards of citizenship. Thus all the Marsi and the Paeligni were placed in the Sergia, in which some of the Paeligni may have been registered earlier, and the Frentani and the Marrucini in the Arnensis. The Vestini in the revolt, dwellers in villages in the region, were presumably, like the people of Pinna who were faithful to Rome, placed in the Quirina in which other peoples of the Vestini had already been enfranchised. The Samnites were put in the Voltinia and the Lucanians in the Pomptina, both of which seem to have existed previously in the regions. Some of the Hirpini were placed in the Galeria, perhaps the tribe of viritane awards to Scipio's troops, but the people of Aeclanum, the chief town of the Hirpini, were put in the Cornelia. A strip along the Campanian

[25] On the assignment of Narnia to the Papiria, see Bormann, *CIL* 11, p. 602. Setia is tentatively placed in the Pomptina by Kubitschek, but the evidence is weak. The tribes of Signia, Norba, Pontiae, and Cosa (where the American Academy excavations have so far turned up no record of the tribe) are unknown.

[26] See Chap. 4. When Cinna was expelled from Rome in 87, he went to Tibur and Praeneste, and then as far as Nola (Appian, *B.C.* 1. 65), to rouse the new citizens to his support. The Hernican towns Ferentinum and Aletrium, which may have been included with the Latins (see Mommsen, *RSt* 3. 622, with n. 2 on Ferentinum), were placed in the Poblilia, in my view the old tribe of the Hernici, in which Anagnia had been enrolled before the Social War.

coast, including Pompeii, which was among the rebels, was enrolled in the Menenia, perhaps already the tribe of Salernum.[27] A number of Umbrian communities in a continuous region east of the Tiber were placed in the Clustumina, extended from the southerly territory of Forum Novum which, probably with Interamna Nahars, was already in that tribe.[28] It has been suggested that the towns in the Clustumina, contrasting with the rest of the Umbrians, who were distributed in a number of tribes, were the Umbrian peoples (their names are nowhere listed) who joined the revolt.[29] The suggestion must be examined in connection with the view of Beloch and Kubitschek that the tribal assignments penalized the Italians who were in the war.

Beloch and Kubitschek argued that the Sergia, the Arnensis, the Voltinia, the Pomptina, the Galeria, the Clustumina, and two other tribes assigned to communities in the revolt, the Fabia, which became the tribe of Asculum Picenum and the Falerna, in which Telesia was placed, were used for peoples in the revolt, and that the tribes became undesirable, apparently because of the large groups in them.[30] This view was effectively disproved by Mommsen,[31] who showed

[27] For the peoples in the revolt, see the important discussion of Salmon, *Social War*. On the possibility that some of the Paeligni (the people of Superaequum) were already enfranchised, see Chap. 7, n. 54. Among the Vestini, who are in Appian's list (*B.C.* 1. 39), Aveia and Peltuinum, old *praefecturae*, were already enfranchised, and the only other community which seems to have developed in the region was Pinna, which was loyal to Rome. The Vestini in the revolt must, as Salmon points out, have belonged to *pagi* in the region which were later attributed to one of these three communities. For the possibility that Salernum was already in the Menenia, see Chap. 7, n. 38.

[28] See above, Chap. 7, with notes 14–19 for my reasons for believing that Interamna Nahars and perhaps Carsulae were in this tribe earlier. Outside Umbria, Larinum in Region IV, which was probably in the revolt, was also placed in the Clustumina. See Appendix.

[29] Kubitschek, *Orig* 68 ff.; Beloch, *RG* 578 f. The names of the Umbrian peoples in the revolt are not reported, but, from the fragment of Sisenna quoted in n. 17 above, it has sometimes been assumed that the Tudertes, who were put in the Clustumina, were among them.

[30] The view was first presented by Beloch, *ItBd* 38–43, who associated the eight tribes with the eight mentioned by Velleius (see n. 6 above.) Beloch is much more moderate in his statement, *RG* 578 f.; he argues there that Telesia, enrolled in the Falerna, was not in the revolt. Kubitschek, *Orig* 61–76, went much further than Beloch, and, though he modified his interpretation of Appian, *B.C.* 1. 49 in an intricate explanation in *IRTD* 2–6, he made no change in his view that Italians in the revolt were, in general, put in eight tribes. See n. 31 a.

[31] "Die römische Tribuseinteilung nach dem marsischen Krieg," *Hermes* 22 (1887) 101–06 (*Gesam.Schr.* 5. 262–67). Mommsen lists the tribes of the communities that are known to have revolted, as follows: Arnensis,

that communities in the revolt were registered in several other tribes.[31 a]

Actually, it may be doubted whether Cinna and the Marians, who had fostered the dissidence between the new citizens and the senate, and had even allied themselves with the Samnites while that people was under arms, would have penalized the men who had taken part in the revolt. I suggest that the explanation for this type of assignment is to be found in the lack of organized municipal centers in the regions and in the strength of ethnic ties. There were, in fact, advantages for the peoples in the maintenance of the old ethnic associations. Frentani, Paeligni, and Marsi could make their votes count as units.[32] It is, moreover, to be noted that the policy of assigning

Teate; Clustumina, Larinum and Tuder; Cornelia, Aeclanum; Fabia, Asculum; Falerna, Telesia; Galeria, Compsa; Horatia, Venusia; Oufentina, Canusium; Pomptina, Grumentum (see above, Chap. 7, n. 45); Sergia, Corfinium, Marsi, Sulmo; Voltinia, Bovianum. To these I would add Menenia, Pompeii (App. *B.C.* 1. 39 and 50; see Van Buren, s.v. *RE*, col. 2002, 2021); Papiria, Asculum, assuming that it is referred to in the Ἀσκλαίων of Appian, *B.C.* 1. 52, which cannot refer to Ausculum (see Gabba's note); and Quirina, Vestini (see n. 27 above). That makes a total of fourteen possible tribes, with uncertainty about the participation of several of the peoples in the revolt. See Salmon, *Social War*. Kubitschek's far-reaching conclusions about eight undesirable tribes, which affected his acceptance of evidence on tribal assignments, are to be rejected. I also question Beloch's view (*RG* 578 f.) that the tribal organization of Italy is a reliable criterion for the extent of Roman territory before the Social War. I am, however, in agreement with him and with other scholars that the peoples in the Pollia were all enfranchised earlier.

[31 a] The view that the *novi cives* of Velleius were ex-rebels has been revived by Salmon, *Social War* 179–84. Salmon's list includes six of Kubitschek's tribes, substituting the Menenia and the Oufentina for the Falerna and the Clustumina (see his notes 30 and 102). To reach "exactly eight tribes," he argues that special conditions determined the tribes of other rebels: the Horatia of Venusia because (see n. 18 above) the tribes of Latin colonies had already been established; the Quirina of the Vestini because it was already the tribe of some of the Vestini (see Salmon's note 107 and discussion above for similar attributions of other rebels); the Cornelia of Aeclanum, the Papiria of Ausculum, and the Clustumina of Larinum because strong pro-Roman elements had influence on assignments in towns that may have been "dragooned by the rebels." Since, whatever the special reasons, the rebels were certainly placed in more than eight tribes, I cannot agree that they are the *novi cives* of Velleius. It is, moreover, to be noted that the provision for eight tribes for the new citizens was, according to Velleius, in force at the beginning of Cinna's consulship in 87, when he promised to distribute them in all the tribes. That promise was fulfilled for all the new citizens in the registrations under the census of 86–85.

[32] On the lasting pride of these groups in their old nations, see the Augustan inscription of the first senator from the Paeligni, *ILS* 932; cf. Syme,

ethnic groups to a specific tribe was carried further in the organization of peoples who had been faithful to Rome in the war. Thus Pinna in the Vestini was added to the Quirina in which other Vestini were already registered, and Ferentinum and Aletrium were put in the Poblilia, the tribe of the Hernicans.

Yet it is striking that the seven tribes to which large continuous additions were made after the war, the Arnensis, Clustumina, Galeria, Menenia, Pomptina, Sergia, and Voltinia, were not among the sixteen tribes known to have been assigned to Latin colonies. This does not mean that the tribes of the colonies were completely avoided in the attributions of the rebels, for the Fabia was assigned to Asculum where the war started, and the Papiria to Ausculum which was probably (see n. 31 above) in the revolt. There seems rather to have been an effort to avoid making the tribes of the Latin colonies (except for the Velina) unduly large.

The Tribes of Umbria

The great puzzle here is the extensive assignment in the Clustumina. It may have been conditioned by ethnic associations, going back perhaps to an old Umbrian league, or it may have resulted from relation with the leaders to be discussed in Chapter 16. It is to be noted that in this region community organization had already developed. As I have suggested, some of these communities besides Interamna Nahars may have been granted citizenship earlier to protect communications on the Via Flaminia, but Tuder in a strong position, Iguvium, and probably Ameria had remained in allied status until the war.[33]

The rest of Umbria shows a great variety of tribes,[34] twelve in all, of which the Pupinia, the Pollia, the Camilia, the Cornelia, and the Oufentina had had assignments there before the Social War.[35] Other communities in these twelve tribes may have had citizenship

RR 91, 363. See also Cicero's comment on the Marsi and the Paeligni in the Sergia, *Vat.* 36; cf. Chap. 3 above. The Samnites were particularly concerned with their nation (Gran. Lic. p. 20), and it is not sure that they had laid down their arms when, on Sulla's return in 83, they allied themselves again with the Marian party. The slaughter of their people and the devastation of their land by Sulla left little opportunity for expressions of pride in later times.

[33] See above, Chap. 7 with notes 13 and 18.

[34] See Cic. *Mur.* 42 on the advantages obtained in a candidacy for the consulship by L. Licinius Murena, who held a levy in Umbria: *multas sibi tribus quae municipiis Umbriae conficiuntur adiunxit.*

[35] See the list under Region VI in Chap. 11. Evidence for the Oufentina as the tribe of Pitinum Pisaurense has lately been published by G. Susini, *Epigr.* 18 (1956) 21 ff.

then; the only one of the group that was surely allied until the war was Camerinum (Cic. *Balb.* 46), which was placed in the Cornelia, the tribe of Fulginiae.

The Tribes of Etruria

Not less striking is the variety of tribes in Etruria. Here too ethnic associations were taken into account in the attribution of some communities to the four Veientane tribes, three of which had been extended before this time. To the Arnensis, which seems already to have had in it Forum Clodi,[36] were added neighboring Blera and distant Clusium. To the Sabatina, the tribe already of Visentium in the Praefectura Statoniensis, was added the adjoining town of Volci and the flourishing community of Volaterrae. To the Stellatina, already the tribe of Capena, perhaps of Horta, and of Graviscae, were added, by extension, Tarquinii and Tuscana, the latter perhaps a new community;[37] also the Latin colony Nepet, and, in a separated area, Cortona. In the Tromentina, the tribe of the immediate vicinity of Veii, was perhaps organized at this time the municipium Veiens, replacing the area of the tribe.[38] To this tribe was also attributed the important town Perusia. Other tribes assigned in Etruria were the Fabia and the Papiria to the Latin colonies Luca and Sutrium; the Horatia to Falerii, in a region where the tribe perhaps already existed; the Oufentina to Saena; the Pomptina to Arretium and Volsinii; the Galeria, already the tribe of the citizen colony Luna, to Pisae; the Scaptia to Faesulae, Florentia, and Vetulonia; the Velina to Pistoriae. If the evidence is reliable for assigning Caere to the Voturia and Castrum Novum to the Voltinia,[39] both before the Social War, there was a total of fourteen rural tribes in the region. Continuous tribal assignments are indicated by the towns put in three of the Veientane tribes, the Arnensis, the Sabatina, and the Stellatina, and also by the placing of Pisae in the Galeria, the tribe of Luna, and by the inclusion of two contiguous communities, Faesulae and Florentia, in the Scaptia.

The General Character of the Tribal Assignments

As for the rest of Italy, the discussion of the Latin colonies and of the Hernicans has covered most allied communities of importance

[36] See Chap. 5 above, with n. 6.

[37] See Beloch's index, *RG*, under these towns.

[38] *Ibid.* 583, 611.

[39] See Chap. 7, with notes 28, 29, 36. The Voltinia was later the tribe of Lucus Feroniae, a settlement apparently of Caesar or Augustus. Perhaps the territory had been *ager publicus* earlier. On surveys of the territory of Capena by Caesar's agents, see Cic. *Fam.* 9. 17. 2. See Appendix.

in Greater Latium.[40] Of interest in the immediate vicinity of Rome are the new municipalities, some of whose tribes are not known. Here, as I have pointed out earlier, Castrimoenium was probably placed in the Falerna and Bovillae in the Pomptina, two tribes that were organized long after their territory became Roman.[41] In the southern regions which did not take part in the revolt the evidence for tribes is so full of lacunae that we cannot reconstruct the general picture, though the extension of the Claudia in Apulia is striking. In the north, Aemilia was mainly composed of old citizen communities and Latin colonies whose tribes we have already discussed.

The assignment of tribes to the Latin colonies created by the law of Pompeius Strabo in 89 will be considered in the next chapter. Confusion at the time and the death of Strabo in 87 would probably have delayed the organization of the fictitious colonies provided for by his law, and it is doubtful whether there were many magistrates of the new communities to register in the census of 86–85. In any case, opposition to the young Pompey would hardly have permitted the enrollment of new citizens to add to his already numerous clients.

The new assignments had changed the composition of almost all the tribes. Now all of them except the Teretina, the Falerna, and the Quirina, probably the Romilia, and perhaps the Voltinia, were divided in various sections of Italy. There were many new divisions with the result that several—the Fabia, Maecia, and Pomptina—consisted of as many as five separated areas, the Cornelia perhaps of six.

The distribution of the new citizens had taken some account of the previous size of the tribes. The largest tribe, the Pollia, was the only one which was not increased at all. The Quirina was increased only by the addition, for ethnic reasons, of Pinna in the Vestini and presumably of hamlets in the same region which had joined in the revolt. The Falerna and the Teretina were slightly extended. The Velina was, however, increased not only by the Latin colonies Firmum in Picenum, a region already in that tribe, and distant Aquileia, but also by Pistoriae in Etruria and the Ligures in Samnium.[42] With its large population of scattered peoples far away from Rome, its

[40] The only others are Aquinum in the Oufentina (see Chap. 7 with n. 31), and Fabrateria Vetus, which was placed in the Tromentina, the tribe of the citizen colony Fabrateria Nova.

[41] See Chap. 6, with n. 26.

[42] The 40,000 Ligures settled on *ager publicus* in Samnium in 180 (Livy 40. 38) probably did not acquire citizenship until after the Social War. There may be a certain scorn of the tribe in Persius 5. 73–75:

> non hac, ut quisque Velina
> Publius emeruit, scabiosum tesserula far
> possidet.

voters now rivalled in numbers the Pollia, also made up of people remote from the capital. The two tribes had maintained the character given them by C. Flaminius. Of the tribes that appeared to be smallest before the war, the Arnensis had been greatly increased in a continuous area of central Italy, and the Lemonia had been augmented by the Latin colony Bononia, by Ancona, and by three towns in Umbria. But the Romilia remained small, limited, as far as we know, to the Latin colony Sora, a flourishing community, and the Pupinia had been increased only by the important, but distant people of Sassina in Umbria. The Sabatina, which had previously been extended to territory taken from Volci, now had Volci added to it in a region that was depopulated, and another important Etruscan town, Volaterrae, which could presumably have furnished most of the voters of the tribe.

Thus, great inequalitities remained in the tribes, with the largest tribes in general at a distance from Rome. The distributions were carried out in the interests of the Marian-Cinnan party, and perhaps some sign of their influence can be detected, for instance in the wide distribution of tribes in Etruria, a region favorable to Marius, and in the influential position accorded Sora in the Romilia, a site on the border of Marius' home, Arpinum. The subject will be considered in the last chapter in the light of evidence for the tribes of senators.

The registration of the new citizens could hardly have been completed in time for the elections for 84, which would normally have taken place, at this period, in July. The suspension of constitutional forms under the domination of Cinna and Carbo and under the dictatorship of Sulla gave no chance to test the new distribution of voters. That had to wait until Sulla laid down his dictatorship in 79, a time when the memory of the Marians and of Cinna, whose influence had controlled the registration, had been consigned to oblivion.

Chapter 9

THE TRIBES FROM SULLA TO CAESAR: THE TRANSPADANI

The new citizens, whose registration in the thirty-five old tribes, provided for in a law of the tribune Sulpicius in 88, had been revoked by Sulla as consul, suddenly found themselves courted by Sulla, as he planned his return to Italy after his settlement with Mithridates. Cinna and his colleague, Cn. Papirius Carbo, were appealing to the new citizens for aid against Sulla's invasion, and Sulla, in a letter to the senate of 85 or 84, combined with threats to his enemies the statement that he would make no complaints against the new citizens.[1] In his advance from southern Italy in 83 Sulla, in an interview near Cales with the consul Scipio, had a discussion *de suffragiis populi, de iure civitatis*.[2] Sulla must then have made clear his willingness to accept the registration of the new citizens. He soon sent out emissaries to the communities of Italy to make his attitude known, and in the end he made what is described as a *foedus* with the Italian peoples that he would respect their *ius suffragii*,[3] that is, their position in all the tribes.

He kept his word through the years when he was meting out severe punishment to individuals and to entire communities which had opposed him. The vengeance wreaked on the Samnites, the murder of their soldiers, who were vanquished in the battle of the Colline Gate, and the devastation of their land did not carry with it any attempt to disfranchise the region, though Sulla's soldiers in a colony at Telesia, and doubtless elsewhere, received extensive grants of Samnite land. In Etruria, to be sure, Arretium and also Volaterrae, which had held out in a siege of two years, were, by a law passed in the centuriate assembly, deprived of citizenship and reduced to Latin status. But the reduction did not last even for the period of Sulla's armed might, and

[1] Appian, *B.C.* 1. 77. For Sulla's message to all parts of Italy, see 1. 81; cf. Livy, *Per.* 85 for a later period. Carbo evidently feared Sulla's success with the Italians and wished to exact hostages from the towns, but was deterred by the senate. See Livy, *Per.* 84. For Suessa's espousal of the Sullan cause, see Appian, *B.C.* 1. 85. For counter-measures of the successors of Cinna, see Chap. 10 with n. 42.

[2] Cic. *Phil.* 12. 27: Sulla cum Scipione inter Cales et Teanum... de auctoritate senatus, de suffragiis populi, de iure civitatis leges inter se et condiciones contulerunt.

[3] Livy, *Per.* 86: Sylla cum Italicis populis, ne timeretur ab his velut erepturus civitatem et suffragii ius nuper datum, foedus percussit.

the two towns were soon restored to the full privileges of citizenship.[4] The penalties paid by the Etruscans for support of the Marian party included wide confiscation of land, with the consequent establishment of several colonies of Sullan soldiers. But though the colonies in some of the sites had, for a time at least, a separate community organization, there was no difference in tribe.

Among the Italians there must have been much changing of side as a result of Sulla's overtures and the prospect of his ultimate victory, and after the victory there must have been many, like Cicero's client Roscius of Ameria (*Rosc. Am.* 15–16), who rightly or wrongly claimed that they had always been favorable to the Sullan side and had never collaborated with the Marians. But there must also have been strong Sullan supporters in the richer groups of the Italian towns, who were not included in the registration of the new citizens. Did Sulla do anything about adding them to the lists of men registered in the classes? Sulla's wide powers as dictator provided that everything he did should be valid, and he seems to have exercised censorial functions in filling the senate.[5] He may have functioned as a censor also in enrolling and assigning to the classes new citizens, particularly citizens of property and influence, passed over in the registration of 86–85.[5a]

But when Sulla laid down the dictatorship in 79, and left the control of affairs to the senatorial oligarchy he had restored, there could have been no change in the registration of voters in the classes for almost a decade. The censorship had not, as Gabba has recently pointed out,[6] been abolished. It had simply been suspended, and the failure to elect censors is probably, as he suggests, the responsibility not of Sulla, but of the senators he left in control of the state.

Their reason for not desiring a census—here too I agree with Gabba—was that they did not wish to cope with any more voters in the centuriate assembly. Men whose *domus* was established in the new citizen communities could presumably vote in the tribes, but not in the classes, without a census assignment, and it is likely that there was opposition to increasing the census enrollment in the all-powerful first class.

[4] Cic. *Dom.* 79; cf. *Caec.* 18, 95–97, 102–03; see for discussion and further evidence, Mommsen, *RSt* 3. 139 f., 328.

[5] See App. *B.C.* 1. 99. 462: δικτάτορα ἐπὶ θέσει νόμων, ὧν αὐτὸς ἐφ' ἑαυτοῦ δοκιμάσειε, καὶ καταστάσει τῆς πολιτείας. The title in Latin would be *dictator legibus scribundis et rei publicae constituendae*. See also Cic. *Leg. agr.* 3. 5: eam ⟨legem⟩ quam L. Flaccus interrex de Sulla tulit ut omnia quaecumque ille fecisset essent rata. Cf. Mommsen, *RSt* 2³. 703 f. See the recent discussion of Gabba, *CESS*, esp. 127 ff., 134 ff.

[5a] For the view that Sulla exercised censorial powers and celebrated a *lustrum*, see Tibiletti, *Comitia* 103, 118.

[6] *CESS* 136 ff.

The popular demand for the censorship that developed in the years between 78 and 70 was, I believe, largely the result of a demand of the new citizens and their sponsors at Rome to secure enrollment for them in the classes.[7]

Under the consulship of Pompey and Crassus in 70, censors were finally elected, two men under Pompey's influence, and it was in Pompey's interest that not only the revision of the senatorial rolls, but also the enrollment of the citizens, seems to have been carried out. Pompey's desire was probably to break the hold of the Sullan nobility on the electorate. Throngs came to Rome to register, and the citizen rolls were practically doubled. The men in the classes, and particularly the first class of the centuriate assembly, must have accounted for a large part of the increase. Among the men registered in the first class would, I believe, have been the magistrates of the Transpadane communities granted Latin rights by Pompeius Strabo, a group to be discussed later.

This was the last census of the Roman republic, for the censors of 65, 64, 61, 55, and 50 laid down their offices without founding the *lustrum*. How were new voters added to the lists after 69 ? I have suggested that men registered in the municipalities were permitted to vote in the tribal assembly. But the official Roman census was needed for the division into classes in the centuriate assembly. A man's sons were regularly enrolled with the father,[8] and could probably retain the father's class after his death. But what of the men who increased their property holdings sufficiently to raise their classification ? Was the upper class of Italian municipalities, the men in the all-important first class, a fixed group in the last two decades of free voting ? Did the consuls who presided over the assemblies make their own decisions in accepting voters in the first class ? Such action would have led to protests from the *custodes* chosen from the panel of nine hundred men available for jury duty in the public courts, and we hear of no such protests in the rich sources for the period. There is no reliable evidence for the registration of voters at the time.[9]

[7] The suggestion, as far as I know, was first made by Tenney Frank, though not specifically for the centuriate assembly. See *EcSur* 1. 255, 303. See also my *PP* 52, with notes 7–9; cf. also 103, 109. Mommsen's view, *RSt* 2^3. 368 ff., was that, after the Social War, the census was in general taken in municipalities and colonies; cf. the *tabulae publicae censoriae* of Larinum, Cic. *Cluent.* 41. But it may be doubted whether the detailed arrangements for local census that we find in the so-called Lex Julia municipalis (*ILS* 6085, lines 142–58) antedate Caesar.

[8] For the evidence, see Mommsen, *RSt* 2^3. 365, n. 1.

[9] Here one should consider Quintus Cicero's advice to his brother (*Com. Pet.* 18) to make sure in the candidacy for the consulship of the aid of those *qui abs te tribum aut centuriam aut aliquod beneficium aut habent aut sperant*

The Tribes in Politics from Sulla to Caesar

It was not until the elections for 78, when Sulla permitted free choice of magistrates, that the effect of the new tribal divisions of Italy could be tested. The organization that the nobles had established earlier over the voting districts had to be radically altered. The Arnensis, tribe of the Claudii Marcelli and the Pompeii Rufi, once limited to a small area in southern Etruria, now had in it the large Etruscan town Clusium and all the Frentani and Marrucini. The Fabia, tribe of C. Julius Caesar and of L. Domitius Ahenobarbus, both of whom were politically active in the seventies, had formerly had no known communities in it, except perhaps Eburum, south of Paestum, but it was now the tribe of the former Latin colonies, Alba Fucens in Sabine territory and Luca in Etruria, of the old allied city, Asculum in Picenum, and of several communities in Apulia. In these divided tribes there was no natural connection between the various communities such as existed in tribes with continuous areas, like the Quirina, the Teretina, the Falerna, and the Pollia in the north. The situation was complicated by the close relations of neighboring towns in different tribes, which made *vicinitas* almost as effective as a common tribe in obtaining support in an election.[10] The knowledge of such relationships was part of the complicated new problem of learning the tribal divisions of Italy, a task whose difficulty will be recognized by any scholar who has tried to follow the advice that Quintus Cicero gave his brother (*Com. Pet.* 30) and memorize *Italia tributim discripta.*

The new conditions probably explain the emergence in the seventies of the only large scale political boss known in Roman politics. He was a Marian turncoat, the patrician P. Cornelius Cethegus, and he acquired such power over the tribes (though not perhaps over the centuries) that no measure could pass without his support. Lucius Lucullus is said to have won over Cethegus' mistress to plead his case, and thus to have gained support for the law that gave Lucullus

(with Buecheler's emendation). This may refer to aid given by Cicero outside a census period in securing the enrollment of men on municipal or colonial lists. For such aid to a *peregrinus*, see n. 23 below. If *centuria* means inclusion in the *centuriae equitum* (Cic. *Mur.* 73; cf. my *ComCent* 344, n. 20), the aid would not have been limited to a census period. Tibiletti, *Comitia*, holds that after 69 a large group of citizens remained unregistered and so unable to vote. He does not suggest, as I have, that the vote in the tribal assemblies may not have depended on the census.

[10] See Cic. *Planc. passim*, esp. 22, 38, with the evidence for the support that Cn. Plancius from Atina had not only from his own tribe, the Teretina, but from Arpinum in the Cornelia, Sora in the Romilia, Aquinum in the Oufentina, and the neighboring Samnite towns in the Voltinia.

the command against Mithridates.[11] Cethegus had disappeared from politics by the year 70, and no one else before Caesar's dictatorship acquired such a hold over all the tribes.

Great power in the individual tribes in the next twenty years—a period when Cicero in his orations and letters gives us rich contemporary evidence—seems to have been wielded by the prominent senators in the tribes and by the younger men in prominent senatorial families who were seeking office for themselves. These leaders made it their object to carry their tribes not only for themselves, but also for the friends they commended to their fellow-tribesmen. There were in the colonies and municipalities representing the divisions of the tribes men with local influence over the voters, and it was the business of the candidates to seek these men out, and to cultivate them both in their home towns and at tribal headquarters in Rome, where candidates circulated to beg for votes.[12] It was desirable for the candidate to bring to Rome for the comitia as many favorable voters as possible; for the election of consuls and praetors in the centuriate assembly, where men of the first class had a weighted vote, the voters needed were the propertied men in that class from each tribe.

Throngs came to Rome for the elections, many of them lured by the financial advantages to be won from their votes. The great inherited wealth of nobles like L. Domititus Ahenobarbus and the spoils of Pompey's Eastern conquests and of Caesar's Gallic proconsulship provided a seemingly inexhaustible source for the bribes that went beyond all bounds. The *divisores* of the tribes, who once did a legitimate business in distributing money to men from their fellow-tribesmen, now received money from candidates of other tribes; the *divisores* were aided by an even more disreputable group, known as *sequestres*, with whom the candidates deposited funds to be used in winning tribal votes. All efforts to curb bribery and other malpractices in elections (*ambitus*) by more and more stringent laws failed. The time came when the urban tribes were formed into semi-military gangs, which Clodius used for violence, and when it was charged that the rural tribes were organized to deliver their vote to the highest bidder. Crassus' consular law of 55 on *sodalicium*, illicit organization of tribes, did not succeed in curbing the corruption and the attendant violence.

[11] See Plut. *Luc.* 5–6; Sall. *Hist.* 1. 77. 20 M; Cic. *Parad.* 40, with Plasberg's emendation, *Rh.Mus.* 53 (1898) 81; cf. Münzer s.v. "Cornelius" 97, *RE*; my *PP* 70, 211. The specific evidence for Cethegus' activity concerns laws, not elections, and the laws were probably submitted to the tribes.

[12] The evidence for this discussion, with much more detail, is to be found in *PP*, esp. Chap. III. Only on the interpretation of the tribes in Gallia Cisalpina have I found reason to change my opinion.

The Tribes in the Juries of the Public Courts

Closely related to the political activity of the tribes was their role in the public courts, where, after the Lex Aurelia of 70, the jurors, senators, knights, and *tribuni aerarii*, were distributed in approximately equal numbers throughout the tribes. The subject has been briefly discussed in Chapter 1, and will be more fully considered in Chapter 15. Here it is worth noting that for the charge of *sodalicium*, with which Crassus' law of 55 was concerned, a special type of tribal jury was provided. The prosecutor chose four tribes, of which the defendant could challenge one, and the jurors were drawn from the other three. Naturally, they were tribes with which the defendant did not have close relations.[13]

Tribal Assignments in Italy: the Transpadani

In Italy south of the Cisalpine province, bounded by the Rubicon and probably by the Arno, there seem to have been no radical changes in tribal assignments from Sulla to the dictatorship of Caesar. There was wide distribution of public land as a result of Caesar's agrarian laws of 59. Much of it was added to the territory and the tribes of neighboring municipalities. The distribution of the *ager Campanus*, including the establishment of a colony at Capua,[14] greatly increased the area and the population of the Falerna tribe. But the curious appearance of the Voltinia in several communities registered in the Clustumina may go back to the settlements of this period, and may indicate that there was an effort to avoid a great increase in Pompey's already over-large tribe, the Clustumina.[15]

The great change in this period concerned the people north of the Po, known as the Transpadani. Their communities were granted the status of Latin colonies by Pompeius Strabo's law of 89, and after that the magistrates of the colonies, most of them fictitious colonies, and the wives, sons, and daughters of the magistrates acquired Roman citizenship.[16] Following a long period of agitation, full citizen-

[13] Most of the evidence for this law comes from Cicero's *Pro Plancio*, a defense on the charge of *sodalicium*. See *PP* 68, with bibliography in n. 101, p. 210.

[14] The colony placed at Calatia was also in the Falerna (Chap. 7, n. 32), which was probably the tribe of the colony at Casilinum, though there is no evidence for it in the inscriptions.

[15] See Appendix. Such a distribution would at this time have benefitted Caesar as well as Pompey, whose veterans shared in the land grants.

[16] Ascon. 3 C, a comment on the way in which Pompeius Strabo *Transpadanas colonias deduxerit*: Pompeius enim non novis colonis eas constituit sed veteribus incolis manentibus ius dedit Latii, ut possent habere ius quod

ship was granted to the Transpadani by a law passed under Caesar's influence in 49, and the general view is that the tribes were fixed then. I have already suggested that the tribe for the magistrates of each Latin colony in the republic, as in the empire, was fixed before the award of citizenship to the entire people,[17] and there is special reason for thinking that this was true among the Transpadani.

It is desirable to consider first the status of the peoples of the entire Cisalpine province, known from the fact that its people wore citizen garb as Gallia togata.[18] South of the Po there had long been enfranchised people, the great bulk of them in the crowded Pollia, with the Stellatina and Pomptina at Forum Livi and Dertona. Latin colonies, Bononia in the Lemonia and Placentia in the Voturia, were enfranchised after the Social War, and that was probably true also of the municipality Brixellum in the Arnensis. There were other tribes in the portion of northern Etruria in the province, including Luca in the Fabia and Luna in the Galeria, and probably Faesulae in the Scaptia and Pistoriae in the Velina. Ravenna seems to have remained an allied community until Caesar enfranchised it in the Camilia in 49,[19] and that was probably true also of Genua, a long-time ally of Rome, and of Veleia, both placed in the Galeria, and perhaps also of other Ligurian towns to the north, placed in various tribes.[20] North of the Po there was a citizen colony, Eporedia in the Pollia, and there were two other old Latin colonies which must have received full enfranchisement after the Social War, Cremona, placed in the Aniensis, and distant Aquileia in the Velina. The rest of the peoples north of the

ceterae coloniae Latinae, id est ut petendo magistratus civitatem Romanam adipiscerentur. On the colony of Pompeius Strabo at Comum, the only place surely colonized, see Strabo, 5. 213 C. For the doubtful evidence that there may also have been a colony at Verona, see *Panegyricus IX, Constantino Augusto* 8. The Lex Pompeia of Pliny, *N.H.* 3. 138, is usually regarded as Pompeius Strabo's law, but see discussion below.

[17] See above, Chap. 8, with notes 18–23.

[18] For the evidence for this term, and for the use of Transpadani, see the succinct statement of Nissen, *ItLdk* 1. 77 f.; 2. 160–62. For a recent argument that the Po was an exact line of division between citizens and Latins, see Ferrua, *Inscr. Ital.* 9, Reg. 9, fasc. 1 (1948), p. xiii; against his view, see Fraccaro's review, *Athen* 28 (1950) 162–67. Of particular value is the comprehensive study of Ursula Ewins, "The Enfranchisement of Cisalpine Gaul," *PBSR* 23 (1955) 73–98, with extensive bibliography and an excellent index (under Cisalpine Gaul at the end of the volume) of the discussion of individual towns.

[19] On Ravenna as an allied community, see Cic. *Balb.* 50; *Fam.* 8. 1. 4, which shows that Cn. Plancus Bursa was in exile there in 51. Cf. Ewins, *op. cit.* 78 f.

[20] Here I follow Nissen (n. 18 above); for comments on other opinions, ee Ewins, *op. cit.*

Po were organized under the communities given the status of Latin colonies;[21] only one of these colonies, Comum, established as a bulwark against the Raetians, seems actually to have received colonists from Pompeius Strabo. It is possible that there were also some fictitious Latin colonies south of the Po. Alba Pompeia in that region has a name that, like that of Laus Pompeia to the north, suggests the Pompeii as benefactors, and both may have been in the same status as "colonies," though, as I shall suggest later, there may be a different explanation of the names.

It was thus not strictly true that the people south of the Po were citizens, while those north of the Po were Latins. There were citizens north of the river, and there were allies and perhaps Latins to the south. We are concerned here with the Latins and their tribes, and since the great bulk of them were north of the Po, I shall follow the ancient tradition and call them Transpadani.

The enrollment of the Transpadani as full citizens was a subject of bitter party strife in the two decades between 70 and 50. Pompey maintained close relations with these men, who owed their Latin rights to his father, and when a citizen, probably an ex-magistrate, of Comum was flogged by a Roman consul in 51, the act was considered not less unfriendly to Pompey than to Caesar (Cic. *Att.* 5. 11. 2). Caesar's activity in securing citizenship for the Transpadani began as early as 68, when, on his return from his quaestorship in Spain, he visited the "coloniae Latinae" and encouraged agitation for full enfranchisement (Suet. *Iul.* 8). As censor in 65, Crassus, doubtless with Caesar's backing, tried to include the Transpadani in the citizen rolls. As Hardy has suggested,[22] Caesar and Crassus probably had plans for legislation through tribunes that would have provided a basis for the registration. But Crassus was foiled by his colleague Q. Lutatius Catulus, and the two censors had to lay down their office because of lack of agreement. In the Lex Vatinia of 59, which gave Caesar his command of the Cisalpine province, there was a clause authorizing a colony of 5000 at Comum, the genesis perhaps of a new citizen settlement at Novum Comum, which seems to have persisted for a time beside the Latin colony of Comum.[23] Caesar enfranchised many men

[21] Certain peoples were "attributed" to other communities in a subordinate status. See below.

[22] "The Transpadane Question," *JRS* 6 (1916) 63–82, esp. 72 ff., reprinted in the author's *Some Problems in Roman History* (Oxford 1924) 43–67.

[23] For the colony of Pompeius Strabo, to which an unknown Scipio added 3000 colonists, and Caesar 5000, including 500 non-resident Greeks who were given citizenship, see Strabo, 5. 213 C. Cf. Mommsen, *CIL* 5, p. 565. Caesar's colony was at Novum Comum, and a Latin colony at Comum and a neighboring citizen colony at Novum Comum existed simultaneously. M. Claudius Marcellus, cos. 51, acted, I believe, against the inhabitants of both settle-

in the region, partly no doubt through recruitment in his legions, and he was, it was rumored, planning to have the colonies elect *quattuorviri*, the regular magistrates of citizen municipalities. Efforts were made by the consul of 51, M. Claudius Marcellus, to deny the citizenship conferred by Caesar and to challenge the rights of Latins in the province. The claim that the Transpadani were already citizens is perhaps reflected in Hirtius' reference to *coloniae civium Romanorum* in 50.[24] But after his invasion of Italy, Caesar judged it prudent to confirm the claim to citizenship by legislation, and in that year, probably by the Lex Roscia, citizenship was awarded.[25]

The collective influence of the region in the elections of the two decades before that law leads me to believe that the tribes in which the magistrates of the colonies had citizenship had already been fixed. The first indication of influence is in a letter of Cicero in 65 (*Att.* 1. 1. 2), in which, writing of his campaign for the consulship of 63, he states that he plans to leave the city for several months to serve as legate of C. Calpurnius Piso, who was proconsul of the Cisalpine and Transalpine provinces. The reason Cicero gives for the journey is *quoniam videtur in suffragiis multum posse Gallia.* I formerly interpreted the passage to refer to the citizen communities which were mainly south of the Po.[26] But the bulk of the population there was in a single tribe,

ments. He brought up in the senate a proposal to take citizenship away from Caesar's citizen colony. See Suet. *Iul.* 28. 3: re⟨t⟩tulit etiam, ut colonis, quos rogatione Vatinia Novum Comum deduxisset, civitas adimeretur quod per ambitionem et ultra praescriptum data esset. And Marcellus flogged a citizen of Comum, the Latin colony. See Cic. *Att.* 5. 11. 2 (July 51): Marcellus foede in Comensi; etsi ille magistratum non gesserit, erat tamen Transpandanus. Ita mihi videtur non minus stomachi nostro *quam* Caesari fecisse. Cicero describes the man as a *Comensis*, while in *Fam.* 13. 35. 1 he uses the term *Novocomensis* in referring to C. Avienus Philoxenus, *quem Caesar meo beneficio in Novocomensis rettulit.* The term *Comensis* in *Att.* 5. 11. 2 and the reference to Pompey, whose father had founded a colony at Comum, seem to me show that Appian (*B.C.* 2. 26) and Plutarch (*Caes.* 29. 2), who depended on a common source here, are wrong in saying that the man flogged was a magistrate (Appian), or a senator (Plutarch) of Novum Comum, which Appian erroneously describes as a Latin colony. He must have been from Comum. See Ewins, *op. cit.* 79 f., with bibliography, esp. the article of Frigerio on the sites of Comum and Novum Comum. Cf. also T. Rice Holmes, *RR* 2. 317–20, esp. 319 f. and Eduard Meyer, *Caesars Monarchie und das Principat des Pompeius*[2] (Stuttgart 1919) 246–51.

[24] *B.G.* 8. 24: Legionem autem XV... in togatam Galliam mittit ad colonias civium Romanorum tuendas. See Mommsen's interpretation, *Gesam. Schr.* 1. 181 n.

[25] On the problems created by the legislation, see most recently Ewins, *op. cit.* 91 ff.; Barbieri, s.v. "Lex" *DE* (1956) 723 f., 729 f.

[26] *PP* 58, with n. 50.

the Pollia, and the other tribes represented in scattered communities, were, some of them, so large that the small group of voters from the province would have produced little effect on the comitia.

A later statement of Cicero (*Phil.* 2. 76) suggests that he actually went to Gallia, and that it became customary for other candidates to make the same journey. The passage gives some indication of the region visited. Cicero is speaking of a journey of Antony through Cisalpine Gaul in 45, a journey on which Antony demanded, rather than begged for, the consulship *per municipia coloniasque Galliae, a qua nos tum, cum consulatus petebatur, non rogabatur, petere consulatum solebamus.* The terms *municipia* and *coloniae*, used also by Hirtius to describe a visit of Caesar to the Cisalpine province (*B.G.* 8. 50), denote both the citizen municipalities south of the Po and the Latin colonies north of the river, and I think that Cicero and other consular candidates visited both regions.

The purpose of Caesar's journey to the Cisalpine province in 50, as Hirtius states it, was *ut municipia et colonias appellaret, quibus M. Antoni quaestoris sui commendaverat sacerdoti petitionem.* Caesar had evidently written in advance to urge people to go to Rome to vote for Mark Antony for the augurate. When he found that Antony had already been elected, he continued the journey, Hirtius says, to thank the voters for their support of Antony and to ask their favor for his own candidacy for a second consulship. And Caesar's action in placing Titus Labienus in charge of the Cisalpine province is interpreted by Hirtius as an aid to a prospective campaign for the consulship.[27] It was evidently customary for delegations of citizens from the "colonies" north of the Po, as well as from the fully enfranchised towns to the south, to go to Rome for the comitia, and this seems to me to indicate that their tribes were already fixed.

There is an early record of a tribe from Ateste, north of the Po. It is found in an incised inscription on one of a large group of clay ossuaries from an earlier excavator's discard. The inscription is *L. Rutilius Ti. f. Pullio tribu Romilia*, and the Romilia is the tribe of Ateste. The Rutilii, represented by thirteen other ossuaries in the collection, were already known at Ateste. The ossuaries are dated by Adolfo Callegari, who published the inscriptions, from the third to the begin-

[27] *B.G.* 8. 52. 2: T. Labienum Galliae praefecit togatae quo maiore commendatione (maior et commendatior, ms. S) conciliaretur ad consulatus petitionem. See T. Rice Holmes' note on the passage. The most likely emendation (Kraffert's), *maior ei commendatio* would make the statement apply to Labienus' own candidacy for the consulship. The reading *quo maiore commendatione* would suggest a connection with Caesar's candidacy. In either case the passage implies that Gallia Togata was important in consular elections.

ning of the first century B.C. The dating is vague, but it is not unlikely that the record of the Romilia tribe is to be placed before 49.[28]

It seems to me, therefore, probable that the Transpadani, given Latin rights by Pompeius Strabo in 89, had had their tribes established before Cicero contemplated a journey to "Gallia" in 65. I question whether, in the confusion about tribes for the newly enfranchised Italians in 89, the tribes would have been stipulated in the original law granting Latin rights. In any case, it is doubtful whether the Latin colonies had been sufficiently organized to permit the registration of magistrates as citizens in the census of 86–85. There would have been opposition then under Cinna's influence to the increase of the power of Pompeius Strabo's son. I would suggest that it was the son Magnus who fixed the tribes, perhaps in a law of his consulship in 70. It may be that the Lex Pompeia, under which certain Alpine peoples were "attributed" in a subordinate position to communities of northern Italy, was not the original law of the father in 89, but was passed by the son in 70.[29] Pompeius Magnus spent some time in the Cisalpine region during his activity against the forces of Lepidus in 77, besieging M. Junius Brutus at Mutina early in the year, and finding a new pass over the Alps on his way to Spain later. In 71 he apparently returned from Spain by the same route, and would have been in the province briefly before he set forth on the journey south in which he encountered and destroyed the remnants of Spartacus' forces. It is possible that Laus Pompeia and Alba Pompeia both owed their names not to the father, but to the son, and that the names were given in gratitude for favors bestowed by Magnus.

Whether or not I am right in suggesting that a law of Magnus in 70 fixed the tribes of Pompeius Strabo's Latin colonies, the general registration of the new citizens would have been carried out under the censors of 70–69, both of whom belonged to the party of Pompey. The result would have been a considerable registration in the first class of

[28] *CIL* 1. 2^2, fasc. 3 (published 1943) 2780; for ossuaries of the Rutilii, see nos. 2775–86. See the original publication by Adolfo Callegari, *NSc* 1933. 121 ff.

[29] Pliny, *N.H.* 3. 138: *Non sunt adiectae Cottianae civitates... item civitates attributae municipiis lege Pompeia.* See also 134 on specific peoples *finitimis attributi municipiis.* For recent discussion of *attributio* in Cisalpine Gaul, see G.E.F. Chilver, *Cisalpine Gaul* (Oxford 1941) 23–27; Fraccaro, *Athen* 27 (1939) 171–77 (*Opusc* 3. 245–51). The son had more time in the seventies to work out such complicated arrangements than the father had between 89 and his death in 87, a period when there was enough opposition to Pompeius Strabo at Rome to make unlikely any confirmation of arrangements he might have made. The plans for *attributio* are not inconsistent with Magnus' bold and resourceful organization of subject peoples elsewhere.

magistrates and their families, perhaps with provision for the entrance of subsequent magistrates in the citizen rolls in that class. The men registered would have been clients of Pompey, and it is thus clear why the flogging of a Comensis by Marcus Marcellus in 51 is described as an act (Cic. *Att.* 5. 11. 2) *non minus stomachi nostro* (that is, Pompeio) *quam Caesari.* On the date of the enrollment, it may be noted that Cicero's statement *videtur in suffragiis multum posse Gallia* suggests a new situation, such as might have resulted from a recent enrollment.

Here the choice of tribes for the " coloniae " is important. There was great diversity, just how great it is impossible to tell, since the identity of the Latin colonies is uncertain. In the following list I have included only Alba Pompeia south of the Po, and have excluded other Ligurian communities for whose status, whether allied, citizen, or Latin, we are in the dark.[30]

Aniensis: Reg. 11, Vercellae
Camilia: Reg. 9, Alba Pompeia; Reg. 10, Atria
Claudia: Reg. 10, Acelum, Tarvisium; Reg. 11, Novaria
Fabia: Reg. 10, Patavium, Brixia
Menenia: Reg. 10, Feltria, Vicetia
Oufentina: Reg. 11, Comum, Mediolanum
Papiria: Reg. 10, Bellunum, Opitergium, Tridentum; Reg. 11, Ticinum
Poblilia: Reg. 10, Verona
Pupinia: Reg. 11, Laus Pompeia
Romilia: Reg. 10, Ateste
Sabatina: Reg. 10, Mantua
Scaptia: Reg. 10, Altinum
Voturia: Reg. 11, Bergomum

It is striking that all the largest tribes which had acquired ethnic character are lacking in this group—the Falerna, the Pollia, the Quirina, the Teretina, and the Velina—and that of the tribes given to continuous ethnic regions after the Social War (Arnensis, Clustumina,

[30] I express here my obligation to Ewins' careful study. Following in some details E. Pais' study of the Pollia tribe, *GP-CA* 2. 641–76, she holds that, under the tribal assignments which she attributes to Caesar, contiguous communities were not put in the same tribe. Hence, she believes that adjoining towns in the same tribe, Feltria and Vicetia, for instance, in the Menenia, were in one community under Caesar, and were separated later. I see no reason to follow her conclusions here. Mediolanum and Comum in the Oufentina, which were closely related communities, as we know from other evidence (see Mommsen, *CIL* 5, p. 565), seem to have had separate organization in the time of Caesar.

Galeria, Menenia, Pomptina, Sergia, Voltinia), only the Menenia is present. Particularly noteworthy is the absence of the Clustumina, the tribe of the Pompeii, already big enough to be unwieldy. There is no really large tribe in the group, and the three tribes that I have noted as the smallest after the Social War, the Pupinia, the Sabatina, and the Romilia, each received a community, the last two, very important communities.

This distribution of the Latin colonies in many of the smaller voting groups would have served the purpose that, in my opinion, led Pompey to revive the censorship; it would have provided a means for him to challenge the control the nobility had acquired, particularly in small tribes capable of manipulation in limited areas. The tribes given to the Latin colonies fit Pompey's purposes in 70–69, rather than Caesar's in 49, when he had acquired complete control of the voting districts of Italy. Caesar's awards of tribes to colonies in his dictatorship show no avoidance of large tribes; in fact, he placed groups of colonies in large tribes, those in Spain in the Galeria, those in Africa in the Arnensis. If he determined the tribes for the peoples of Transalpine Gaul (mainly Narbonensis), to whom he gave Latin rights, it is striking that another large tribe was placed here, the Voltinia.[31]

The distribution of tribes among the Latin colonies[32] produced a total of at least twenty of the thirty-one rural tribes in the Cisalpine province. Designed, I believe, to serve Pompey's influence against

[31] For a list of Caesar's colonies, see Vittinghoff, *Kolonisation* 148 and his excellent index. Other isolated awards of Caesar include Arelate in the Teretina, Corinth in the Aemilia, Sinope in Paphlagonia in the Pollia, with others where tribe or date of colony are doubtful. Among awards of Latinitas, see Vittinghoff 124 f. for Dalmatia, where he follows Kubitschek in suggesting that the Latin colonies in the Tromentina were foundations of Caesar. Kubitschek (*Orig* 70, 88, 126 ff., 188 f., 198) concluded that Caesar's awards were in "good" tribes, and Augustus' in "bad" tribes, that is, in the tribes that Kubitschek considered penalty tribes after the Social War. Kubitschek's views affected his interpretations of the evidence for the tribes of communities.

[32] Of the thirteen tribes listed above for Latin colonies, four, the Aniensis (Cremona), the Fabia (Luca), the Voturia (Placentia), and probably the Scaptia (Faesulae) were already in the province. There were at least seven additional tribes: the Arnensis (Brixellum), the Galeria (Luna), the Lemonia (Bononia), the Pollia (a series of communities in Aemilia and Liguria), the Pomptina (Dertona), the Stellatina (Forum Livi), and the Velina (Aquileia, and Pistoriae if it was in the province). If the Ligurian towns had Latin or citizen rights before 49, there were (excluding tribes already in the provinces) three more in Cisalpine Gaul: the Falerna (Albintimilium), the Maecia (Libarna), and the Tromentina (Aquae Statiellae). On the curious appearance later of the urban Collina among the Dripsinates, see Fraccaro, *op. cit.* in n. 29 above.

the Sullan nobility, the distribution, in the end, served the interests of Caesar against Pompey. As governor of Cisalpine Gaul for a decade, Caesar had under his control voters who could exercise strong influence in the comitia, and Hirtius has revealed the fact that he was in the habit of asking the voters to go to Rome for the elections. Among the voters were undoubtedly soldiers whom Caesar recruited in large numbers from the Transpadani, and presumably granted citizenship when they enrolled in the legions. We know that his soldiers went to the comitia, and among them the men of Patavium would have voted in the Fabia, and the men of Ateste in the Romilia. The old clients of Pompey in these rural tribes thus became the clients of Caesar. When Marcellus in 51 challenged their citizenship, he was fighting against the power of Caesar over the tribes in the comitia.

CHAPTER 10

THE URBAN TRIBES AND THE REGISTRATION OF THE FREEDMEN

From the censorship of Appius Claudius in 312 until the end of the republic the registration of the freedmen in the rural tribes was an objective of powerful representatives of the nobility, and particularly the patrician nobility at Rome. It was an objective that was from time to time successful, but the freedmen were always put back into the four urban tribes, and there they all remained at the end of the republic. Asconius reflects the condition of that time when he speaks (52 C) of the rural tribes as the special possession of freeborn men—*propriae ingenuorum*. The struggle has direct bearing on the geographical distribution of the tribes, and should therefore be considered in this investigation.

It was a tradition that acceptance of freedmen as citizens was a feature of Servius Tullius' constitution. Like the contemporary constitution of Kleisthenes, the Servian reform seems to have enrolled in the citizen body the metics who would have consisted of immigrants and freedmen.[1] Toward the freedmen Rome was notably more generous than Athens and other Greek cities, and the great growth of Rome's power was attributed by Philip V of Macedon to her attitude toward freedmen, who, according to a letter of the king to the people of Larisa, were even permitted to hold office at Rome.[2] That statement is a mistake. There was a time when the freedman's son was included with his father under the designation *libertinus*,[3] and although that time ended, probably in the early second century, freedman origin remained a stigma for the politically ambitious. That we know from Horace, *quem rodunt omnes libertino patre natum*. The freedman was

[1] Dion. 4 . 22. 4, with the succeeding Chapter 23, giving a summary of a supposed speech of Servius Tullius on citizenship for freedmen. See Hugh Last, *JRS* 35 (1945) 30–48.

[2] Dittengerger, *Syl.*[3] 543 of 214 B.C. The text of the letter suggests that the Roman attitude revealed in the passage from Dionysius was familiar in Greece at the time.

[3] I accept the interpretation of Mommsen, *RSt* 3. 420 ff. See his discussion, 422, n. 2, of the distinction Suetonius made between *libertus* and *libertinus* (*Claud.* 24). Claudius, Suetonius says, cited Appius Claudius' censorship as a precedent for his own action in granting the *latus clavus* to a freedman's son, ignarus temporibus Appi et deinceps aliquamdiu libertinos dictos non ipsos, qui manu emitterentur, sed ingenuos ex his procreatos.

in general debarred from service in the legions, though he was available for certain military services and for the fleet.

The vote of the freedmen, who were not in the *pedites*, was, as I shall point out later in this chapter, practically valueless in the centuriate assembly. In the tribal assembly also the vote of the individual freedman counted little, because he was limited to the crowded urban tribes. That registration marked the freedmen as second-class citizens. The men who tried to register the freedmen in the rural tribes were attempting to raise the status of the group primarily in order to profit from their votes.

As long as the boundaries of the Roman *ager* were within easy reach of Rome—and that was true even after the creation of the four Veientane tribes in 387—the freedmen might naturally have been included with the lower free population of Rome, the workmen and craftsmen of various types, in the four city tribes. But in subsequent years the boundaries of the *ager* were steadily extended, and manumissions from the unending supply of war captives were constantly on the increase. The increase is indicated by the five per cent tax on manumissions provided for by a law of 357. A new class was rising, a class of great value to the nobles in the management of their estates and their business, a class that replaced the vanishing clients, many of whom had acquired land and interests of their own.[4] War captives who were set free must have been particularly useful in newly acquired territory, especially if they were natives of the region. The freedmen settled outside the city, often employed by their patrons in the management of estates, have not been considered in discussions of the registration of the class.[5] Some of them would have acquired property of their own. As long as they had to be registered in the four urban tribes, they were, in effect, disfranchised, for the journey to Rome to vote, or even to register, would hardly have been worth while. We can imagine such men trying to have themselves put on the list of voters in the tribes in which they lived, and there would have been Roman nobles who wished to profit from the votes of a new client class.

Such a man was the patrician censor of 312 B.C., Appius Claudius Caecus, member of a great house recently in eclipse, bitter opponent of the new plebeian nobility.[6] Appius violated the *mos maiorum*, but

[4] See E. Herzog, *Röm.Staatsverfassung* (Leipzig 1884) 1. 246 ff.

[5] In *CIL* 1^2, which contains inscriptions assigned to the republic, there are many more records of freedmen outside Rome than there are in the city. The great bulk of the inscriptions belong to the late republic.

[6] For his opposition to the admission of plebeians to the pontificate and the augurate under the Lex Ogulnia of 300, see Livy 10. 7–8. For Appius' effort to secure the election of two patrician consuls, see Cic. *Brut.* 55; Livy 10. 15. 7–12.

perhaps not any constitutional provision, and put freedmen's sons on the rolls of the senate, and the freedmen themselves and other lowly men in all the rural tribes.

Appius' registration of the freedmen in all the tribes is mentioned only by Plutarch in an incidental comment in his life of Poblicola.[7] Diodorus describes Appius' new registration as follows: " Appius gave the citizens the right to be enrolled in any tribe each man wished, and of having their census taken where they preferred."[8]

Livy, in an account given not under Appius' censorship, but under the census of 304 when Appius' registrations were cancelled,[9] reports that Appius first " defiled " the senate by enrolling freedmen's sons as members, and that when no one considered the enrollments valid and Appius had failed to obtain the influence he sought, he distributed the lowly (*humiles*) through all the tribes, and so " corrupted forum and campus." The result was the election of a freedman's son, Cn. Flavius, to the curule aedileship, a result that so revolted the nobles that many of them took off their symbols of rank. The city, Livy goes on, was then divided into two parts, one made up of the *integer populus*, supporters of the " good " men, the other of the " faction of the Forum." Then under the censorship of Fabius and Decius

[7] Plutarch, *Popl.* 7, in an inaccurate statement, records the privilege given by Publicola to a freedman to vote in the *phratria* he desired (obviously a mistake for φυλή), and goes on to say: τοῖς δ' ἄλλοις ἀπελευθέροις ὀψὲ καὶ μετὰ πολὺν χρόνον ἐξουσίαν ψήφου δημαγωγῶν ἔδωκεν Ἄππιος.

[8] Diod. 20. 36. 4 (where the possibly redundant reading of the mss. has often been emended): ἔδωκε δὲ τοῖς πολίταις ἐξουσίαν ἐν ὁποίᾳ τις βούλεται φυλῇ τάττεσθαι καὶ τὴν ἐξουσίαν ὅποι προαιροῖτο τιμήσασθαι.

[9] Livy 9. 46: Eodem anno Cn. Flavius Cn. filius scriba, patre libertino humili fortuna ortus, ceterum callidus vir et facundus, aedilis curulis fuit . . . Ceterum Flavium dixerat aedilem forensis factio, Ap. Claudi censura vires nacta, qui senatum primus libertinorum filiis lectis inquinauerat et, posteaquam eam lectionem nemo ratam habuit nec in curia adeptus erat quas petierat opes urbanas, humilibus per omnes tribus diuisis forum et campum corrupit; tantumque Flaui comitia indignitatis habuerunt ut plerique nobilium anulos aureos et phaleras deponerent. Ex eo tempore in duas partes discessit ciuitas; aliud integer populus, fautor et cultor bonorum, aliud forensis factio tenebat, donec Q. Fabius et P. Decius censores facti et Fabius simul concordiae causa, simul ne humillimorum in manu comitia essent, omnem forensem turbam excretam in quattuor tribus coniecit urbanasque eas appellauit. Adeoque eam rem acceptam gratis animis ferunt ut Maximi cognomen, quod tot uictoriis non pepererat hac ordinum temperatione pareret. Valerius Maximus, 2. 2. 9, is obviously based on Livy: idem censor cum P. Decio seditionis finiendae gratia, quam comitia in humillimi cuiusque potestatem redacta accenderant, omnem forensem turbam in quattuor tantummodo tribus discripsit easque urbanas appellavit. Quo tam salubri facto vir alioquin bellicis operibus excellens Maximus cognominatus est.

in 304, the year of Flavius' aedileship, Fabius, to secure concord, and also to prevent the comitia from being in the hands of the lowly (*humillimi*), took the members of the faction of the Forum out of the other tribes and threw them into four tribes called urban; and in gratitude for this compromise Fabius was given the *cognomen* Maximus.

The sources create a number of problems.[10] What is the relation of the *humiles* of Livy to the freedmen who, according to Plutarch, were enrolled in all the tribes by Appius? *Humilis* is a word for the lowly as opposed to the high, and it might, of course, include the freedmen. The inclusion is suggested by Livy's use of *humilis* in his description of Cn. Flavius as *patre libertino, humili fortuna ortus*.[11] Moreover, it is to be noted that the men who opposed the *forensis factio* are described as *integer populus*, which suggests a group uncontaminated by ex-slaves. There had been such extensive land grants to freeborn Romans in previous years that most of the workmen and and the craftsmen who were thought of as *humiles* were probably freedmen.[12]

Were the *humiles* mainly from the urban plebs? That is the general view, and it has been strengthened by an unjustified emendation of the text of Livy,[13] and by the assumption that *forensis factio*

[10] For Mommsen's interpretation of the meaning of Appius' distribution of the *humiles* in the tribes, and Fraccaro's successful refutation of Mommsen's views, see Fraccaro, *TribAer*, discussed in Chap. 1, with notes 21–23. On Appius' censorship, see also the significant and little known dissertation of C. Sieke, *Appius Claudius Caecus censor* (Marburg 1890), in which the author had the hardihood to oppose the views of Mommsen. In his opposition to Mommsen's interpretation of *aerarii*, and in his views on the nature of Appius' reforms as censor, Sieke anticipates some of the details of Fraccaro's epoch-making paper. Among more recent discussions, I would cite particularly that of H. Stuart Jones, *CAH* 7 (1928) 531–35; Paul Lejay, *Rev. Phil.* 44 (1920) 92–141; Garzetti, *Athen* 25 (1947) 175–224. E. S. Staveley's interpretation of Appius (*Historia* 8 [1959], 410–33) as leader of a group seeking to change Rome's agrarian economy by strengthening industrial elements in the city appeared too late for me to discuss his interesting, but to me unconvincing, suggestions.

[11] 9. 46. 1. See also section 4, of Flavius, *contumacia adversus contemnentes humilitatem suam nobiles certavit.*

[12] The *opificum . . . volgus et sellularii, minime militiae idoneum genus*, called out for military service in an emergency in 329 (Livy 8. 20. 4) were presumably for the most part freedmen.

[13] Various texts including the Loeb text of B.O. Foster and Weissenborn-Muller's Teubner text (1923) print in section 11, *nec in curia adeptus erat quas petierat opes, urbanis humilibus per omnes tribus divisis.* The emendation *urbanis* for *urbanas* goes back to Gronovius. It is rejected by Walters and Conway in the Oxford text, who cite 9. 42. 4 (on Appius), *Romae mansit ut urbanis artibus opes augeret.* See also Fraccaro, *Trib Aer* 159, n. 2. Obviously Appius won *opes urbanae* by his distribution of the *humiles*.

refers to the city population. But the *forensis factio* could also have included men from the country who had come to the city to campaign and vote for a candidate who was unacceptable to the nobility.

If freedmen and freedmen's sons, not only from the city but also from country districts, were in Appius' *humiles*, what limitations were there on registration? Some scholars have taken literally Diodorus' statement that Appius allowed men to register where they wished. But that would have produced chaos, and Appius was not enough of a demagogue to do that. There must have been some limitation, and the most probable one is the acquisition of residence or of property in the tribe desired. Appius would have applied those limitations throughout all the tribes, and, as I shall suggest later, he may have been reponsible for the registration of his own family and of other patricians in a city tribe, the Palatina, where they probably owned property.[14] That registration would have raised the prestige of an urban tribe.

There is another problem concerned with the registration of the freedmen. Were the freedmen with property placed in the classes by Appius and, therefore, made eligible for service in the legions? It has been assumed by some scholars that they were, but the evidence is doubtful. The new registration, Livy says, *forum et campum corrupit*, and that has been understood to mean that both the tribal assembly in the forum and the centuriate assembly, regularly held in the Campus Martius, were in the control of the *forensis factio*. But the tribes under both patrician and plebeian magistrates seem usually, until the end of the second century, to have been convoked on the Capitol. Later, the tribes regularly met in the Forum for votes on laws, and in the Campus for elections. As Fraccaro has suggested, Livy has the conditions of the late republic in mind when he speaks of *forum* and *campus*.[15] Laws and elections in the hands of the tribes seem to have been most affected by the new distribution.[16] A tribunicial law of 311 raised from six to sixteen the number of military tribunes elected by the tribes, thus diminishing the appointive power of dictators and consuls, and a second law of the year gave the tribes the right to elect *duumviri navales*.[17] And finally in 304 occurred the election of a freedman's son to an office for which the tribes were the voting body.

[14] See Chap. 15, text with n. 16.

[15] *TribAer* 161 f. See also *Opusc* 2. 253. On the places of meeting of the *comitia tributa* and the *concilium plebis*, see Mommsen, *RSt* 3. 381 f.

[16] Some effect on the centuriate assembly would have been produced by the sons of freedmen, who must have been in the classes as well as in the senate. It is possible that Cn. Flavius was the grandson of a freedman, though that does not accord with Diodorus 20. 36. 6, πατρὸς ὢν δεδουλευκότος.

[17] Livy 9. 30. 3–4. See Lange's interpretation, *RAlt* 2^3. 83 f.

The freedmen and other lowly men added to the rural tribes through Appius' influence would have increased the great bands of clients for which Appius was famous,[18] and would have given him special strength in the country districts. There is evidence for such strength, if Appius is the Claudius who, according to Suetonius (*Tib.* 2), tried to seize Italy by means of his clients. The evidence comes from an account of the merits and demerits of the Claudian house. Among the demerits Suetonius has the following statement: *Claudius Drusus statua sibi diademata ad Appii forum posita Italiam per clientelas occupare temptavit.* The reading Drusus is surely wrong, for the *cognomen* belongs to the maternal, not the paternal, ancestry of Tiberius. The mention of Forum Appi, a foundation of Appius on his new road, and the insertion of the notices between incidents dealing with the Claudian decemvir of 450 and a Claudian consul of 249 support the attribution of the passage to the censor.[19] We can imagine lowly men, including freedmen and freedmen's sons, now brought within easy reach of Rome by the new road, honoring their patron for the new power they had won in the tribes. The implication in Suetonius that Appius himself was responsible for the diademed statue may well come from detractors of the Claudii who were making the familiar charge that he was trying to establish a *regnum.*

My conclusions, then, are that the *humiles* whom Appius distributed throughout the tribes were mainly freedmen, including, with freedmen of the city, freedmen who had settled and in some cases acquired property in the rural tribes of the Roman *ager*; that Appius won a great band of clients among these newly enrolled citizens; that the enrollments were, at least for the freedmen, not in the classes which would have given the men a favorable position in the centuriate assembly and the right of service in the legions. Those rights would, however, have been granted to the freedman's son.

This was a significant redistribution of the Roman voters. It must have encouraged more freedmen to acquire land or residence in the Roman *ager.* But the reform, designed to strengthen Appius in the contest with his rivals, particularly in the plebeian nobility, was ended in the censorship of Q. Fabius Rullianus and P. Decius Mus in 304–303. The patrician colleague in this censorship is given credit for the change, but Fabius worked in this censorship and in two joint consulships in complete harmony with his plebeian colleague Decius,[20]

[18] Cic. *Sen.* 37: *tantas clientelas Appius regebat*; Val. Max. 8. 13. 5, *plurimas clientelas.* Both passages refer to Appius in his old age.

[19] I accept the interpretation of Mommsen, *RF* 1. 308–10. The interpretation has often been rejected, for instance, by Lejay and Garzetti, *op. cit.*

[20] On the relations between these two men, see Livy 10. 13. Cf. Münzer, s.v. "Fabius" (114), *RE.*

the chief opponent of Appius in the struggle over the admission of plebeians to the great priesthoods.

Perhaps under the same censorship of 304 the custom was instituted of placing men under a penalty in the urban tribes. This added a stigma to a registration which counted less and less as the masses of freedmen increased in the state.[21] There would naturally have been other political leaders who would wish to profit from the votes of freedmen clients by a registration such as Appius had carried out, and other censors—we do not know their names—followed Appius' example in the next half-century, and placed freedmen in the rural tribes. But there was a reaction in the period between the First and Second Punic Wars, and censors between 234 and 220 put all the freedmen back in the four urban tribes.[22] One is tempted to suspect that the censor of 230, Q. Fabius Maximus, later known as the Cunctator, was responsible for this action. He bore the *cognomen* that his ancestor had won for the purification of the rural tribes.

So far there is no word of any legislation on the freedmen, but that was to come later, as the people insisted more and more on their rights in the regulation of citizenship. A law of 189 or 188 was sponsored by an adherent of Scipio Africanus, the tribune of the plebs, Q. Terentius Culleo. The law, not mentioned by Livy, is known only from Plutarch, who says that the censors, one of whom was T. Quinctius Flamininus, "accepted as citizens all who presented themselves for enrollment, provided only that they were children of free parents. They were forced to do this by the tribune Terentius Cul(l)eo who, out of disrespect for the nobility, persuaded the people to vote the measure."[23] There is no word about registration in all the tribes, but since men of slave parentage were already in the four urban tribes, we should probably assume that the law concerned the sons of freedmen, providing for their enrollment in all the tribes, and thus removing them from the class of *libertini*.[24] This law, and another law dealing with tribal assignments, which belongs to the same census

[21] See Chap. 1, with notes 23–24.

[22] The only information we have on the return of the freedmen to the rural tribes, and their concentration again in the urban tribes, is from Livy, *Per.* 20: libertini in quattuor tribus redacti sunt, cum antea dispersi per omnes fuissent, Esquilinam, Palatinam, Suburanam, Collinam. The epitomator there groups together the *lustra* completed in 234–33, 230–29, 225–24, 220–19. On the interpretation of the passage, see Mommsen, *RSt* 3. 436, n. 3.

[23] Plut. *Flamin.* 18. 1: ἐξέβαλον δὲ τῆς βουλῆς τῶν οὐκ ἄγαν ἐπιφανῶν τέσσαρας, προσεδέξαντο δὲ πολίτας ἀπογραφομένους πάντας, ὅσοι γονέων ἐλευθέρων ἦσαν ἀναγκασθέντες ὑπὸ τοῦ δημάρχου Τερεντίου Κουλέωνος, ὃς ἐπηρεάζων τοῖς ἀριστοκρατικοῖς ἔπεισε τὸν δῆμον ταῦτα ψηφίσασθαι.

[24] I follow Mommsen's interpretation of the passage, *RSt* 3. 436 f., which has been generally accepted.

period, are, I believe, to be interpreted as an attempt of Scipio to strengthen his position in the assemblies.[25]

Shortly afterwards there seems to have been a favorable change in the registration of the freedmen themselves. Those who had sons more than five years old and those who had property valued at a minimum of 30,000 sesterces—that is all those with a census rating of the first and second class—were placed in the rural tribes. We know about the arrangements from Livy's fragmentary and corrupt text recording the end of such favors to freedmen in the census of 169–68 (45. 15. 1–3): In quattuor urbanas tribus discripti erant libertini praeter eos, quibus filius quinquenni maior ex se natus esset—eos, ubi proximo lustro censi essent, censeri iusserunt—et eos qui praedium praediave rustica pluris sestertium triginta milium haberent. When were these changes made? The most probable time is the censorship of M. Aemilius Lepidus and M. Fulvius Nobilior in 179. On their registration of citizens Livy (40. 51. 9) notes: mutarunt suffragia, regionatimque generibus hominum causisque et quaestibus tribus discripserunt. Botsford's translation is: "They changed the arrangement for voting and drew up the tribal lists on a local basis according to the social orders, the conditions, and the callings of men."[26] Botsford, who agrees with Lange, is surely right that these changes apply mainly to the *libertini*. The view of scholars who think that the alterations in tribes meant a reform in the centuriate assembly can hardly be right,[27] for there is, as Botsford notes, no reference to the classes that were the chief feature of that assembly. I quote Botsford's explanation: "In 'generibus hominum' are included chiefly the 'genus ingenuum' and the 'genus libertinum.' 'Causis' applies to those conditions of the libertini, such as the possession of children of a definite age, which might serve as a ground for enrolment in a rural tribe; and 'quaestibus' refers to the distinction between the landholders and the 'opifices et sellularii' ⟨cf. Livy 8. 20. 4⟩ of the city."

The interpretation of Lange, made clearer by Botsford, is to my mind convincing, and I apply the word *regionatim* to both groups of freedmen mentioned in Livy 45. 15—the group with sons more than five years old and the group possessing landed property worth 30,000 sesterces. The change in tribes here clearly concerned not the mass of city freedmen, but freedmen residing in, or holding property in, the rural tribes. Hitherto, if they voted, they had all been in the four

[25] See Chap. 2; Chap. 7, with n. 42; Chap. 16, with notes 25–33.

[26] *RAss* 85, n. 3, with acknowledgments to Lange, *RAlt* 2^3. 265 f., 354 f.

[27] See De Sanctis, *StR* 4. 1. 606; A. H. McDonald, *Camb. Hist. Journ.* 6 (1938–40) 134; Scullard, *RP* 182 f.

urban tribes, where the city freedmen belonged, but now there were two favored classes of freedmen who could be registered in their local tribe.[28] In the districts of the rural tribes there were probably enough freedmen with the requisite property or with sons of five years to make a radical change in the voting groups of the tribal assembly. Here it is possible that the freedmen with property worth 30,000 sesterces would have been put in the classes, though most of them would have been too old to serve as recruits for the legions. Many of them would have been among the *seniores*. It is of interest that one of the censors responsible for this change of voting lists was M. Aemilius Lepidus, *princeps senatus* and *pontifex maximus*, one of the greatest representatives of the patrician nobility.

Perhaps it was the influx in this period of slaves from the East, many of whom, under the easy Roman system of manumission, would have gained their freedom, that roused special opposition to this new registration. It is possible that the censors of 174 restricted in some way the measures of 179,[29] but it remained for the censors of 169–68 to make a change that left the freedmen rather worse off than they had been before 179. The censors were Ti. Sempronius Gracchus, father of the Gracchi, and C. Claudius Pulcher, descendant of the censor of 312.[30] Gracchus was the member of the team who was particularly anxious to curb the freedmen, and his proposal was to exclude them entirely from the tribes. But Claudius pointed out that that meant that the freedmen would be deprived of the vote, and that such a plan could not be carried out without an order of the people. Finally, a compromise was worked out under which one of the four urban tribes was to be chosen by lot, and all the freedmen except those already in the rural tribes were to be placed in it. There is a lacuna in the text of Livy, and I would assume that again the freedmen outside the city were concerned, and that the city freedmen who had residence in the four urban tribes were not affected. The lot fell on the Esquilina, and there the freedmen were enrolled. The arrange-

[28] It is striking that the censors drew a distinction between landowners and men engaged in crafts and business of various sorts.

[29] That is the view of McDonald, *op. cit.* 135, 138, n. 96.

[30] Livy 45. 15. 3–7 (continuing the passage quoted in the text above): ... negabat Claudius suffragii lationem iniussu populi censorem cuiquam homini, nedum ordini universo adimere posse. Neque enim, si tribu movere possit, quod sit nihil aliud quam mutare iubere tribum, ideo omnibus quinque et triginta tribubus emovere posse, id esse civitatem libertatemque eripere, non, ubi censeatur, finire, sed censu excludere. Haec inter ipsos disceptata; postremo eo descensum est, ut ex quattuor urbanis tribubus unam palam in atrio Libertatis sortirentur, in quam omnes, qui servitutem servissent, conicerent. Esquilinae sors exiit; in ea Ti. Gracchus pronuntiavit libertinos omnis censeri placere.

ment was much like that made in the tribal assembly for the Latins who happened to be in Rome at the time, and who were permitted to vote in a tribe chosen by lot. The tribe to which the freedmen were assigned in successive censorships must have varied. It is to be noted that both the author of the *De Viris Illustribus*[31] and Cicero speak of Gracchus' transfer of the freedmen to the urban tribes in general, and not simply to the Esquilina.

Cicero's statement is a comment on the elder Gracchus, placed in the mouth of Scaevola (*De Orat.* 1. 38, dramatic date 91): et saepe alias et maxime censor saluti rei publicae fuit; atque is... libertinos in urbanas tribus transtulit, quod nisi fecisset, rem publicam, quam nunc vix tenemus, iam diu nullam haberemus.

In speaking of the harm that Gracchus' sons did to the state, Scaevola says nothing about a change in the enrollment of freedmen by them. Nor is there a word on the subject in any other source. Gaius Gracchus' laws included measures for citizenship for the Latins, and Latin rights, which meant citizenship for local magistrates, for the Italians, but, however much he may have differed from his father in the rest of his program, he seems to have been faithful to his father's tradition in maintaining second-class citizenship for men who had once been slaves.

An increase of freedmen in the city population may have resulted from the cheap grain provided for the needy of the city by Gaius Gracchus' *lex frumentaria.* Freedmen shared with other citizens in the allotments, and after Clodius in 58 removed the charge made for state-subsidized grain, masters, who could continue to ask services of their freedmen, set their city slaves free to have them fed by the state.[32] The custom may have begun when there was still a small charge for the state grain, and the result would have been that the freedmen, as well as the freeborn, who, lured by cheap grain, were drifting from country to city, would have increased greatly in the city population.

The institution of the secret ballot, first for elections in 139, then in judicial decisions in 137, and finally for laws in 131 or 130, had made the vote of the freedmen more valuable to the demagogue, for now the patron would have no means of controlling the vote of his freedman client.[33] That fact, as well as the increase of freedmen in the city, may explain the subsequent effort of demagogic leaders to profit, particularly in presenting legislation, from the vote of the freedmen in the city.

In conflict with the prevailing view, I venture to place among such demagogic leaders M. Aemilius Scaurus, the consul of 115 who, accord-

[31] 57: *Censor libertinos qui rusticas tribus occuparant in quattuor urbanas divisit.*

[32] See n. 49 below.

[33] For the influence of the secret ballot, see Last, *CAH* 9. 38, 203.

ing to the bald statement in the *De Viris Illustribus* (72), *consul legem de sumptibus et libertinorum suffragiis tulit.* The universal opinion,[34] based on Scaurus' position as leader of the nobility and *princeps senatus* from 115 until his death about 89, is that Scaurus restricted still further the votes of freedmen. But it is difficult to see how the conditions could have been made more unfavorable than they were after the censorship of the elder Gracchus. Refraining here from discussing the bearing of my views on Scaurus' curious career, I make the suggestion that Scaurus' law may have improved the condition of certain freedmen by allowing them to register in rural tribes.

The suggestion depends on the interpretation of a passage in Julius Caesar Strabo's discourse on wit, in the second book of Cicero's *De Oratore*—a passage that, in my view, has bearing on Scaurus' *lex de libertinorum suffragiis.* I quote the corrupt text as it appears in the manuscripts (2. 257): Saepe etiam versus facete interponitur, vel ut est vel paululum immutatus, aut aliqua pars versus ut satius Scauro stomachanti; ex quo sunt non nulli, qui tuam legem de civitate natam, Crasse, dicant:

> st, tacete, quid hoc clamoris ? Quibus nec mater nec pater tanta confidentia ? Auferte istam enim superbiam.[35]

The two lines of trochaic *septenarii*, like the *senarius* of unknown authorship quoted immediately afterwards, are obviously from a well known source, and since no republican orator Satius whom Strabo might have quoted is known, it is likely that the name of Caecilius Statius is preserved in the corrupt *satius.* The usual emendation accepted in modern editions is that of Bake, ut Stati *a* Scauro stomachante, and the assumption is that Scaurus is the speaker. But a much simpler emendation palaeographically is that of Orelli,[36] ut Stati Scauro stomachanti, which involves only the alteration of the word *satius.* In that case the verses are directed against Scaurus whom freedmen, men in the legal Roman sense without *mater* or *pater*, are supposed to be supporting by their clamors.[37] The quotation may well come from the

[34] Some doubt on the subject is indicated by Hugh Last, *Gnomon* 22 (1950) 364 f.

[35] These lines are quoted with the generally accepted emendations. See Ribbeck, *Com. Rom. Frg.*[3] p. 86, Caecilius Statius, lines 245–46.

[36] See Bake's edition, Amsterdam 1863, where Orelli's emendation is mentioned. For it, see Orelli, *Onomasticum Tullianum,* part 3 (Opera 8), praef. pp. ix f.

[37] Fraccaro, in his important paper, *Scauriana* (*RendLinc,* sc. mor. 20 [1911] 178 ff., reprinted *Opusc* 2. 132 ff.), accepts Bake's emendation and assigns the words to Scaurus' testimony at the trial of Norbanus (95 ?). He sees Scaurus as the instigator of the Lex Licinia Mucia which prevented Latins and Italians from enrolling as citizens in the Roman census. His

speech of C. Memmius against M. Calpurnius Bestia, consul of 111, one of the chief defendants in the Mamilian *quaestio* of 109. Scaurus defended Bestia, and in this same discourse on wit Strabo quotes a barbed attack of Memmius on Scaurus (2. 283). If the text is read with Orelli's slight change, Scaurus' law provided for the registration of some freedmen in the rural tribes, perhaps a limited group, rewarded for some service to the state.[38]

Now there is some evidence that Scaurus had special strength in the rural tribes. He was powerful enough to obtain election from the tribes as *quaesitor* under the Lex Mamilia of 109, which provided for the trial of men involved in dealings with Jugurtha, and the election is the more surprising because Scaurus was popularly supposed to be one of the guilty men. Scaurus' influence in the rural tribes is also suggested by Cicero's comment in a letter of 54 (*Att.* 4. 16, 6) on the candidacy of Scaurus' son for the consulship: *est pondus apud rusticos in patris memoria.* This may mean that the younger Scaurus might hope to benefit from the gratitude of the descendants of freedmen benefitted by his father.[39]

The next attempt to enroll freedmen in all the tribes apparently concerned all the freedmen. It was made by the famous tribune of the plebs of 88, P. Sulpicius Rufus (a man of patrician origin). Sulpicius' law on freedmen is coupled with the law on new citizens in the laconic statement of the epitomator of Livy (77): *ut . . . novi cives libertinique ⟨in tribus⟩ xxxv distribuerentur.* If, as seems unlikely from the silence of Appian on the freedmen, there was a joint law for the two groups, Sulpicius may have been interested mainly in the freed-

view is accepted by E. Gabba, *Athen* 31 (1953) 263, and by E. Badian, *Historia* 6 (1957), 334, n. 139. "The sting in the tail," Badian comments, "is precisely that Scaurus equates these respectable Italians with ex-slaves." Accepting Orelli's emendation, I suggest that Strabo is making a gibe at Scaurus for being more favorable to ex-slaves than to the Italians affected by the Lex Licinia Mucia. Unlike the crowd of men of foreign origin who shouted against Scipio Aemilianus (Vell. 2. 4. 4; Val. Max. 6. 2. 3; *Vir. ill.* 58), these ex-slaves are demonstrating for Scaurus. It is to be noted that the laudatory tone of Cicero's other comments on Scaurus is curiously lacking in Strabo's discourse. See *De Or.* 2. 283, on Scaurus' greed for money, and the incident related in 2. 280. (The only other mention of Scaurus in the discourse, in 265, is not necessarily adverse.) Cicero knew well the party alignments of the period, and it is likely that the enmity between Strabo and Scaurus represented here was genuine.

[38] They might, for instance, have been rewarded for assistance to the consul Opimius against the adherents of Gaius Gracchus. See Plut. *Gaius* 14. 4, for armed slaves in the senate's forces.

[39] Asconius, in his commentary on the *Pro Scauro*, emphasizes repeatedly the influence of the father on the son's career, and on his acquittal in the first of the accusations brought against him.

men of the newly enfranchised Italians. But the only other source on this law of Sulpicius—Asconius—suggests a different interpretation in the statement (64 C) that Sulpicius passed this law *cum per vim rem p. possedisset ⟨et⟩ ab initiis bonarum actionum ad perditas progressus esset.* The law may have been a last desperate effort to obtain control of the city rabble. The character of the law, identical with that of Manilius, Asconius says,[40] supports that view. Manilius' law will be considered later.

The law on votes of freedmen was annulled by Sulla with the rest of Sulpicius' legislation. Whether Cinna revived it in 87 or later is doubtful,[41] but after Cinna's death in 84, his successors, if we can trust the epitomator of Livy, distributed the freedmen in the thirty-five tribes.[42] The action came at a time when Sulla's overtures to the Italians called for strong counter-measures. Sulla, though accepting the enrollment of the Italians in all the tribes, disregarded the freedmen.

Attempts to profit from the votes of freedmen by new registration were made by two demagogues in the next three decades, C. Manilius and P. Clodius Pulcher. At the beginning of his tribunate of 66 Manilius took over a bill that his predecessor, C. Cornelius, had planned to propose.[43] It was, Asconius says, the bill of Sulpicius.[44] According to Dio, it permitted freedmen to vote with the men who had set them free, that is, apparently, in the tribes of their patrons.[45] That arrangement might have led to no change of great importance outside Rome, for the freedmen would simply have been added to the local tribal registration, but it would have produced a radical alteration among the city voters, for the patrons who lived in Rome were distributed in all the rural tribes. The votes of freedmen, similarly distributed, would have been particularly useful in legislation, for the urban plebs had far more

[40] 64 C, in a comment on Manilius' law of 66: *P. Sulpicium in tribunatu hanc eandem legem tulisse iam significavimus.* See notes 43, 45 below.

[41] See the comment on Cinna in his consulship of 87, *Schol. Gron.* p. 286 St: Coepit Cinna de libertinorum suffragiis agere, Octavium cum senatu contra ipsum habuit; ortum est bellum civile. But other testimony makes it clear that in the clash with Octavius the citizenship under discussion was that of the allies. The puerile character of the summary of events from which the passage is taken does not inspire confidence.

[42] Livy, *Per.* 84: *libertini in quinque et triginta tribus distributi sunt.*

[43] See Ascon. on Cic. *in Cornel.* 64 C: Legem, inquit, de libertinorum suffragiis Cornelius C. Manilio dedit. Quid est hoc 'dedit'? Attulit? an rogavit? an hortatus est?

[44] See above, n. 40.

[45] Dio 36. 42. 2: τῷ γὰρ ἔθνει τῷ τῶν ἀπελευθέρων ..... ψηφίσασθαι μετὰ τῶν ἐξελευθερωσάντων σφᾶς ἔδωκεν. For the interpretation, see Mommsen, *RSt* 3. 439.

power in the legislative tribal assembly than they had in the centuriate assembly or even in the tribal electoral assembly when many Italians were in Rome.[46] With the aid of a band of freedmen and slaves Manilius rushed the bill through to a vote before the legitimate date. It was accordingly judged by the senate to be invalid, and Manilius himself dropped it for want of support.[47]

The final attempt to register the freedmen in all the tribes was made by the most notorious demagogue of the era, P. Clodius Pulcher, another patrician, who, like Sulpicius, had become a plebeian. Clodius promised in his candidacy for the praetorship to propose such a bill,[48] but he was murdered in January, 52, before the elections for the year had taken place. There is no doubt that Clodius was concerned primarily with the freedmen in the city. The removal of all payment for the state grain subsidies, a measures of Clodius as tribune in 58, and the abundance of grain available from Pompey's efficient administration of the *curatio annonae* had led to such extensive manumissions in the city that Pompey had to have a special census made of the freedmen.[49]

These freedmen were henchmen of Clodius, who, as a member of the Palatine tribe, was a *tribulis* of many of them; we hear of his bands from both the Palatine and the Colline tribes.[50] He had given the freedmen opportunity to organize, when, by another law of his tribunate, he restored the guilds or *collegia* suspended by the senate in 64. As Accame has shown, these guilds were organizations of freedmen and slaves who celebrated in the *vici* the cult of the Lares Compitales and of other divinities and gave annual games at the festival of the Compitalia each January. These *collegia compitalicia* were, I believe, organized in each urban tribe.[51] Clodius used the revived organization

[46] For the evidence, see my *PP*, Chap. 3.

[47] For an explanation of the senate's decision, see Mommsen, *RSt* 3. 376, n. 1.

[48] Cic. *Mil.* 87 and 89; Ascon. 52 C; *Schol. Bob.* 173 St.

[49] Dio 39. 24. 1: πολλῶν γὰρ πρὸς τὰς ἀπ' αὐτοῦ ἐλπίδας ἐλευθερωθέντων, ἀπογραφήν σφων, ὅπως ἔν τε κόσμῳ καὶ ἐν τάξει τινὶ σιτοδοτηθῶσιν, ἠθέλησε ποιήσασθαι. See Gelzer, *Pompeius* (Munich 1949) 157. The habit of freeing slaves to obtain grain from the state is mentioned, under Augustus, by Dionysius, 4. 24. 5. See also Philo, *Leg. ad Gaium* 23; *Schol.* on Pers. 5. 73. Cf. Mommsen, *RSt* 3. 446, n. 1.

[50] For Clodius' tribe, see Chap. 13. For his followers in the Palatina, see Cic. *Sest.* 114: *Palatinam... per quam omnes illae pestes vexare rem publicam dicebantur*; for the Collina, Cic. *Mil.* 25: *Convocabat tribus, se interponebat, Collinam novam dilectu perditissimorum civium conscribebat.* I interpret this to mean that Clodius, who already had a band of followers from the Collina, levied a new band from the same tribe. See Chap. 6, with n. 5.

[51] See Chap. 6, with notes 28–32.

to recruit the armed bands with which he terrorized city politics. In the law that he promised to sponsor, and that probably, like that of Manilius, would have put the freedmen in the tribes of their patrons, he was planning both to reward his henchmen and to derive further benefit from their support.

Caesar, who was not an irresponsible demagogue like Clodius, followed the Gracchi in showing no interest in the registration of freedmen. He dissolved the guilds which Clodius had revived,[52] and he drained off many of the surplus freedmen of the city in his overseas colonization. It remained for Augustus, when he replaced the four Servian regions with his fourteen regions, to reorganize the cult in the city *vici* and in the guilds, mainly of freedmen and slaves, which fostered the cult of the emperor's Genius and the Lares Augusti, to create a valuable instrument of loyalty to the regime.

In the republic except for brief periods, the votes of the freedmen were limited to the four large urban tribes. There was some strife for the vote, for instance, in the year 56, when Clodius lost his tribe, the Palatina, for his candidate for the aedileship.[53] That vote was in the tribal assembly, and it may be doubted whether freedmen had any real influence in the centuriate assembly. There the centuries of *pedites* (with the *equites*), and particularly the first class of the *pedites*, had a heavily weighted vote, and freedmen, who did not serve in the legions, were, I believe, usually excluded from the classes in the *pedites*. Besides the small group of senators, knights, and *scribae*, with their sons, in the Palatina and the Collina, we do not know who was in the first class of the urban tribes. They may have been filled up, as Roman voting units could be, from other tribes, and so may have been easily manipulated by the consul who presided over the election.[54]

The attempt of the politicians to profit from the votes of freedmen by securing more favorable registration for them goes back to the censorship of Appius Claudius in 312. He was a patrician trying to increase his band of clients, and other patricians followed his example, among them, I believe, Scipio the Elder, M. Aemilius Lepidus, censor of 179, and, I also hold, M. Aemilius Scaurus. Sulpicius and Clodius also were patricians by birth. Before the time of the Gracchi, the men who tried to have the freedmen registered in all the tribes were, I think, interested primarily in freedmen in the country districts. The strongest reason for that opinion is the registration *regionatim* in the censorship of 179. But after the institution of the secret ballot, and the growth of the city that resulted from the state grain allowance,

[52] Suet, *Iul.* 42; Joseph. *Ant.* 14. 10. 8.
[53] Cic. *Dom.* 49; *Sest.* 114.
[54] See my *ComCent* 349 f.

the city freedmen, whose votes would have been valuable in legislation, were the group courted by politicians and demagogues who tried to secure their registration in all the tribes.

Evidence for Registration in the Urban Tribes under Republic and Empire

Freedmen, eager to make known the new Roman name and the Roman citizenship they had acquired, are responsible for the great majority of epitaphs preserved to us from imperial Rome. But it is a striking fact that the freedmen almost never have a tribe in their names.[55] It was not that they did not value the tribe; when they set up epitaphs for their freeborn sons, they proudly included the tribe in the son's name.[56] The use of the tribe in the name had become a prerogative of the freeborn man. This does not mean that the freedman was not in the tribe for the administrative purpose that the tribes served in the empire, the distribution of the grain dole. The lists preserved for the Suburana (*CIL* 6. 200), for instance, seem, to judge from the names, to include many freedmen.

It is possible that under the republic also the freedmen were not in general permitted to put the tribe in their names, though the lack of tribes in republican inscriptions of freedmen may be also a sign of scorn of the urban tribes to which freedmen were limited. In the inscriptions of the first volume of the *Corpus* (including all inscriptions which have been dated before the death of Caesar) only one of the 185 names accompanied by the tribe surely belongs to a freedman. The tribe is the Palatina.[57]

[55] The following are the examples of freedmen with tribes which I have found in Roman inscriptions: Esquilina, *CIL* 6. 9165; Palatina 27806, 38918, 39039; Aemilia 23519; Claudia 27609, 18644 ?; Galeria 22091; Lemonia 38283; Quirina 18431. There are more cases in the Palatina than in the other tribes (cf. n. 57 below), but most of the many names in this tribe clearly belong to *ingenui*. The statement is often made (cf. F. G. Maier, *Historia* 2 [1954] 342, n. 3) that the Palatina indicates freedman status, but that is true only in the Transpadana and in Narbonese Gaul. See Mommsen, *RSt* 3. 441, n. 2 and, for freedmen in the Claudia, n. 1. I would suggest that the emperor Claudius as censor may have been responsible for placing freedmen in the Claudia. Enfranchised *vigiles* were assigned to the tribes, those who belonged to Rome to the Fabia (see Chap. 2, n. 18), those attributed to Ostia and Puteoli to the Palatina (see Appendix).

[56] There are no less than 20 cases of this type in the Palatina, for instance, 5654, 9664, 15131, and a number in rural tribes (e.g. 26808 in the Galeria). The tribe in the name of men of the lower population is not common after the first century.

[57] *CIL* 1^2. 663 (*ILLRP* 210), from Samothrace, a list of men initiated into the mysteries, including three *liberti*, only one of whom has the tribe,

The other men we know in the urban tribes under the republic are, in every case where the name is sufficiently preserved to judge, freeborn.[58] There is no name in the Esquilina and only one man recorded in the Suburana, a man whose name is lost, but who was of senatorial or equestrian rank. There are eighteen names in the Collina, including two senators, two *scribae*, one illegitimate son, and a number of men who, though freeborn, are probably freedmen's sons or of slave ancestry. In the Palatina, besides Clodius and other prominent patricians whose registration will be discussed later, are found the freedman mentioned above, three men who may well be freedmen's sons, and two other insignificant men.

It is evident that even for the freedman's son there was marked disparity in the urban tribes. The Suburana and the Esquilina were decidedly inferior tribes. That is clearly true under the empire, where among the abundant names with tribes—mainly of the first century—names in the Suburana and the Esquilina are rare.[59] The superiority of the other two tribes is obvious from the number of prominent men in both of them, and from the use of the Palatina as a second tribe for the ports of Ostia and Puteoli, and of the Collina as the tribe of many men in the East who were granted citizenship.

The inferiority of the Suburana and the Esquilina comes out clearly in the exclusion of these two tribes from the Augustan assembly of senators and knights which served for the *destinatio* of consuls and praetors. As I have suggested elsewhere,[60] that exclusion was based on republican precedents, and those two tribes had probably had a less favorable place in the comitia, perhaps being excluded from the lot for the *centuria praerogativa* of the centuriate assembly, which the Augustan assembly replaced.

which is frequent on names of initiates. This name is P. Livius M. l. Pal. The consular date on the stone may be either 130 or 92 B.C., and Degrassi gives strong arguments for preferring the latter date.

[58] See the index of tribes, *CIL* 1^2, p. 812; for other men of low rank, see Joseph. *Ant.* 14. 239 (Collina); Cic. *Verr.* II 2. 107 (Palatina). For a man in the Suburana, and for senators in the Palatina and Collina, see Chap. 15. This material is fully discussed in my *UrbTr* 228 ff.

[59] In my *UrbTr* 227 I note, from *CIL* 6, 162 examples of the Palatina, 131 of the Collina, 11 in the Suburana, and 9 in the Esquilina. The men in the two latter tribes are in every case, except one in the Suburana (see n. 58), of low estate, while members of the Palatina and Collina include senators (especially in the Palatina), and knights and other respectable men. These two tribes are often found outside Rome, while there are, as far as I know, no examples of the Esquilina and only two of the Suburana. Inscriptions are very rare in *CIL* 6 in which freedmen record the Suburana or the Esquilina in epitaphs of their sons, a clear indication that these tribes lacked prestige.

[60] See my *UrbTr* and *ComCent* 345 f.

The marked and lasting inferiority of these two tribes may have been a result of the lack of aristocratic associations with the two regions as a place of residence. These may also have been the tribes in which men stigmatized by the censors were usually placed.

A word may be added about the distribution of urban and rural tribes in the population of Rome in the late republic. The upper classes, senators, knights and *tribuni aerarii*, most of them landholders in Italy, were in all the rural tribes. The nine hundred men, three hundred from each of these classes, who made up the official jury lists after the year 70, were probably distributed fairly evenly among the tribes, and all of them were required to maintain residence in Rome. As for the lower population, it included many of the small farmers who had once manned Rome's legions and who, having lost their farms, had been attracted to Rome by the grain dole.[61] These men may have retained their registration in rural tribes, at least for the tribal assembly, though perhaps not in the classes of the centuriate assembly.[62] For the votes on laws the comparatively small group of rural tribesmen in the city had great influence. But the great bulk of the lower population must have been in the four urban tribes. It is to be noted that in a list by tribes of men added under the Flavians to the recipients of free grain, the four urban tribes average about thirty-four times as many men as the two rural tribes whose names are preserved on the broken stone.[63] The disparity may have been much greater at a time when the vote still counted.

[61] The most specific evidence on rural tribesmen in the urban plebs is provided by Appian, *B.C.* 1. 14. 58, a discussion of Tiberius Gracchus' candidacy for reelection to the tribunate of the plebs. See Gabba's note.

[62] See Last, *CAH* 9. 7–9; *AJP* 58 (1937) 467–74. In his view the rural tribesmen who came to the city made a marked change in the voters in the elections.

[63] *ILS* 6046. See Mommsen, *RSt* 3. 446, n. 3; cf. G.E.F. Chilver, *CR* 64 (1950) 134 f.

Chapter 11

SUMMARY; LIST OF ITALIAN COMMUNITIES WITH TRIBES

Leaving until the final chapter the question of the senators' relations to the assignment of tribes and the vote within the tribes, I summarize here the results of the geographical investigation of the tribes in the republic.

The investigation has been concerned primarily with the rural tribes, but the urban tribes, the subject of an earlier study, have been dealt with briefly (Chap. 6). The boundaries, the numbering and the established order of the urban tribes used in official documents —Suburana, Esquilina, Collina, Palatina—are fixed by Varro's account of the shrines of the Argei. Another order, also given by Varro and by Festus which led Mommsen to hold that the official order represented the relative respectability of the tribes, with the Suburana and the Palatina preceding the Esquilina and the Collina, is proved by recent discoveries to be incorrect. In the republic, as in the empire, the Palatina and the Collina were more respectable than the other two tribes. The order of the tribes was the counter-clockwise order followed in the *lustrum* after the census and in other religious processions. The sequence of fourteen Augustan regions, as topographers of the early 19th century realized, was based on the order of the Servian regions, and the shrines of the Lares Augusti and the Genius of the Emperor in the Augustan regions were organized on the model of the shrines of the Lares Compitales in the old Servian regions.

The oldest rural tribes, which I would attribute to the kingship, but perhaps to a later date than the urban tribes, were, I think, fifteen in number, all named for *gentes* which possessed for themselves and their clients property in the *pagi* out of which the tribes were formed. They were approximately equal divisions of Roman territory at the time of their institution. Since the *ager* was widely extended on the left bank of the Tiber and was limited on the right bank by the territory of Veii, some of the tribes probably did not touch the boundaries of the city. I attribute to 495, the year of the first Claudian consul, the formation of two new tribes, the Claudia and the Clustumina, the latter the first of the tribes with a geographical name.

Of the seventeen oldest rural tribes, nine can be approximately located (Chap. 4). For the Fabia I have accepted a suggestion of Kubitschek. For the Aemilia, Camilia, Cornelia, Menenia, Pollia, Sergia, and Voltinia I have made suggestions based on some evidence for all of them except the Aemilia. For that tribe the only basis of

my assignment is empty space that needs filling. The map in Chapter 4 shows my view of the relative position of the tribes, but evidence for tribal boundaries is completely lacking.

The fourteen later rural tribes, instituted between 387 and 241, were, as Beloch and others have argued, primarily for Roman citizens given land grants in the various regions; with the citizens were probably included a certain number of natives, enfranchised as a reward for supporting Rome in the wars. Perhaps only in the Maecia, in which the Lanuvini were, I believe, given the vote when the tribe was formed in 332, was there a large group of new citizens in the original tribal assignment. The extensive enfranchisements that followed the great Latin war would account for a departure at that time from the general policy of making new tribes mainly for old citizens.

The tribal areas seem to have been strips of continuous territory occupied by viritane assignments, and, in general, without walled towns. The sites were regularly protected by fortified Latin colonies. The new tribes were probably larger than the original rural tribes, but perhaps not so much larger as Beloch and other scholars have held. There was usually *ager publicus* in the neighborhood from which additional assignments to citizens could be made from time to time, and the tribes tended to increase in size through the incorporation of *conciliabula* of Roman citizens around the original tribal area, and eventually through the addition of neighboring peoples who, usually after a period when they were *cives sine suffragio*, were admitted to a tribe and to the vote. Until the Social War the territory of the extended tribes surrounded various pockets of land belonging to Latin colonies and allied peoples. How the organization of the enlarged tribal areas was managed we do not know, but the tribes for a long time retained responsibility for the collection of the *tributum* and for the annual levy of troops for the legions.

As for the location of the fourteen rural tribes added from 387 to 241 (Chap. 5), we know the position of the four Veientane tribes created in 387, of the Pomptina (358), the Maecia (332), the Oufentina and the Falerna (318), and the Aniensis (299). On the position of the others, or at least on the site of the original tribal area, there has been some question. In locating them I have rejected sites proposed by Beloch, and have come to conclusions that are closer to the views of Kubitschek, presented in his early work on the origin of the tribes. It was not Roman custom to change land from one tribe to another, and it seems likely that the original tribe was, in general, in territory where it survived later. Therefore I have placed the Poblilia not on the site proposed by Beloch, in Volscian territory in the neighborhood of the Pomptina, instituted in the same year, but on land of the Hernici, whose later tribe was the Poblilia. There was a great Roman victory over the Hernici in 348, the year in which the tribe was organized.

I place the original tribal area in east Hernican territory, and see in it, as in the Pomptina, a new block of Roman territory not continuous with the *ager Romanus* of the day. Continuity was created by the annexation of Latin territory after the great Latin War of 340–38, when some of Praeneste's land was confiscated, and also much territory in the Alban region. The Scaptia was, I hold, the tribe of Velitrae, where its name survives only in the tribe of the Octavii, the original house of Augustus, and the tribe was, I believe, on land removed from the faithless Veliterni; the native population must have remained for a time as *cives sine suffragio*, but was eventually placed in the tribe. The Teretina, which Beloch placed in Hernican land, was, I think, originally in the territory of the Aurunci, conquered a dozen years before the tribe was formed in 299. The strongest evidence for this position as the original site of the Teretina is provided by the citizen colonies in that tribe, Minturnae and Sinuessa, both founded on old Auruncan sites three years after the tribe was organized.

For the last two tribes, not instituted until nearly sixty years later, I have proposed a radically different interpretation from that generally accepted. The Sabini, whose award of full citizenship is placed by Velleius in 268, were, I hold, not the Sabini of Reate, Amiternum, and Nursia—later in the Quirina tribe—but the people of Cures who are often spoken of as Sabini. They were put in the Sergia. The Quirina and the Velina, which, as their names indicate, were designed for the teritory of Cures and Reate, were delayed in organization because of opposition to the new man M'. Curius Dentatus, conqueror of the territory. When they were finally established in 241, they were put in regions that their names did not fit, the Quirina in the teritory of Reate, the Velina probably at first in the land of the Praetuttii.

The general view that these tribes differed radically in size and organization from the rural tribes created in the preceding century is, I think, erroneous. They also were, I hold, in limited territory, including the best land, some of it reclaimed by Curius' engineering project. They provided voting influence for men settled far from Rome. Like the other rural tribes, these tribes were probably without walled towns. Much of the rest of Sabine territory must have been left in the hands of natives who, like the various peoples of Greater Latium, were *cives sine suffragio*. Polybius' statement about Sabines in the Roman forces in 225, and Livy's comment on the contribution of Sabines to the equipment of Scipio in 205 both suggest that much of the region was still in that status in the late third century. The award of full citizenship in the Quirina may well belong to the second century.

The new locations of the original sites of the Poblilia, the Teretina, the Quirina, and the Velina, and the acceptance of the view of Mommsen that the Scaptia was in the region of Velitrae throw light on the offi-

cial order of the rural tribes (Chap. 6). That order, beginning with the Romilia and ending with the Arnensis, both on the right bank of the Tiber, was, like the order of the urban tribes, counter-clockwise. With the sites I have accepted for the tribes, that is the order of Festus' listing under the letters P and S; that is also the order, in every case except one, of Livy's listing in his accounts of the institution of new tribes. The order, I have argued, was the order of the census, for which, I believe, the *pedites* would be drawn up by tribes in the Campus Martius, each tribe taking its position in the direction of the tribal area. The census of the rural tribes, following that of the urban tribes, would begin with the Romilia and, in counter-clockwise circuit, would finally reach the Arnensis. This would also be the order of the *suovetaurilia* in the *lustrum*, the final act of the census. The order of the urban and rural tribes, like the census for which the tribes were created, was related to the state religion. The tribes in the same order (also the order of the lustration of the city and perhaps of the fields) may have entered into the ritual prayers of the census, and that may be the reason why no Roman tribe ever had its name altered.

The official order of the tribes explains the growth of the tribes. Before the later tribes were instituted, some of the old rural tribes had been increased by the addition of newly enfranchised peoples who adjoined the tribal areas (Chap. 7). That was true of the Papiria in which, I believe, the Tusculani were enrolled when they received citizenship soon after 381. In the extensive settlements of 338, following the Latin revolt in which the Tusculani had joined, their citizenship was renewed, and the Horatia was extended to Aricia, the Menenia and the Cornelia probably to Pedum and Nomentum.

These tribes seem to have been increased simply by an extension of area, but some of the tribes could not be extended on the spot. Thus there developed a marked inequality in the tribes, with the result that the larger tribes had more men to distribute in the centuries and more available recruits, but individual votes that counted less. Hence there was some effort to equalize the tribes. Sometime before the last two tribes were organized, a new device was adopted. Citizens who lived in territory which did not adjoin the tribal area were added to certain tribes. That was true of the Curenses Sabini, who were placed in the Sergia in 268. Other divisions that seem to have developed in the third century, probably before the last two tribes were created in 241, were in the Claudia, the Clustumina, the Pollia, the Sabatina, and perhaps the Cornelia (Chap. 7).

There is a striking relationship between the third century divisions of these five or six tribes and the original sites assigned to them. The new divisions, as the map in Chapter 5 shows, are in the same direction from Rome as the old tribal areas. My view is that, for tribes whose territory could not be expanded because they were

hemmed in by other tribes or by the land of allies, orientation from Rome was, in general, the basis of separated tribal divisions in the third century. The new divisions thus conformed to the official order of the tribes. It is possible that at the census in the Campus Martius the *pedites* from these regions could join the *pedites* who lived nearer Rome in the same direction from the city, and that the censors could register them in the tribes without special action of the people.

The institution of separate divisions of tribes may be even older than the third century. Castrimoenium and Bovillae in old Latium, two towns that seem to have acquired municipal organization after the Social War, may have been respectively in the Falerna and the Pomptina. The sites of the two towns are in a direct line between Rome and the two tribal areas created in the fourth century. I have suggested (Chap. 6) that, perhaps for purposes of the *lustrum*, spots in Latium may have been assigned to new tribes far from Rome. The suggestion is tentative, for there is some doubt about the tribes of both communities.

When the *comitia centuriata* was reorganized on a tribal basis after the last two tribes were created in 241, a complicated plan was adopted on the assumption that no more tribes would be added, and, though there was an abortive effort to form new tribes during the Social War, no more were created. After that time old citizens receiving land grants and newly enfranchised citizens alike were placed in extensions or new divisions of the thirty-one rural tribes. The old citizens who received land under Gaius Flaminius' law of 232 were put in an extension of the Velina tribe and in a division of the Pollia.

Extensions of tribal area by orientation seem to have been continued through the first quarter of the second century, but to have been abandoned after that time. The extensions noted (Chap. 7) are in the Stellatina, the Pomptina, the Galeria, and perhaps the Pupinia. The normal method of extension, which was convenient for administration, was the direct expansion of the tribal area. There are many instances.

The Voturia seems to have been extended along the coast to the south to Antium, and to the north through the ports of Caere, a town which may not have acquired full citizenship until the second century. The Aniensis, the Falerna, the Oufentina, the Poblilia, the Quirina, the Teretina, and the Velina were all enlarged. The Pollia, which, with the Velina, was the tribe of Gaius Flaminius' allotments in 232, was the tribe which had the widest expansion later. It was extended along the line of the Via Aemilia in 173 and later, and it was carried over into Ligurian territory.

The Pollia was so fully accepted as the tribe of *ager Gallicus* that the colony Narbo Martius, established in 118 in Cisalpine Gaul, was placed in this tribe. In the same period, perhaps, two overseas col-

onies in the Balearic islands were put in the Velina, the other tribe which, like the Pollia, seems from the time of C. Flaminius' assignments to have been used for distant peoples.

Just how extensive the awards of tribes were which resulted from the raising of *cives sine suffragio* to full citizenship it is impossible to determine, because we have inadequate information about the status of many communities before the Social War. It is likely that almost all *cives sine suffragio* became full citizens before the Social War. One of Beloch's criteria, the occurrence of the quattuorvirate, the regular chief magistracy of communities enfranchised after the Social War, has been too extensively used, particularly in Umbria, to prove that communities were not composed of citizens before the war. I have argued (Chap. 7) that there may be other communities in Umbria where, as at Plestia and Fulginiae, *quattuorviri* replace ancient *octoviri* (or *duumviri*) as magistrates of citizen communities. I have suggested that that was true of Interamna Nahars and Carsulae in the Clustumina and that this tribe, which had been established at Forum Novum to the south in Sabine territory, was already extended in Umbria long before the war. It is possible that other Umbrian communities whose chief magistrates were *quattuorviri* had citizenship before the Social War.

The one dated record of the raising of *cives sine suffragio* to full citizenship, besides that of the Sabini in 268, is the enrollment of the Formiani, Fundani, and Arpinates in the Aemilia and the Cornelia in 188. I will consider in the last chapter the bearing of this case on the struggle over election districts.

The other great struggle over tribal registration on which we have information before the Social War concerned the freedmen (and originally the freedmen's sons) who had either been registered in the four urban tribes or not registered at all (Chap. 10). Contrary to the usual view, I hold that Appius Claudius, who in his censorship of 312 registered the freedmen and other lowly men in all the rural tribes, was interested mainly not in the freedmen of the city, but in those either already residing in the rural tribes or desiring to take up residence there. His registration, which had influence on the votes in the tribes, was cancelled by the censors of 304, but other censors later followed Appius' example, only to have their arrangements cancelled in turn. Of particular interest because of the evidence for local registration is the action of the censors of 179 who seem to have put two favored groups of freedmen in the tribes in which they lived. This measure was again cancelled by the father of the Gracchi. It was not until after Gaius Gracchus provided state subsidized grain that the large number of freedmen in the city made the position of the city freedmen the major problem in the tribal assignments of the whole class.

At the of the second century there was still great inequality in the size of the tribes (Chap. 7). The smallest tribes seem to have

been the Lemonia and the Romilia, both, as far as we know, confined to the Roman Campagna. In general the tribes far from Rome were the largest. They were the Falerna, the Teretina, the Quirina, the Velina, and the old rural tribe, the Pollia, which, through its wide extension in Gallic and Ligurian territory, was made up of a very large number of voters distant from the capital. By that time the old uses of the tribes were altered. The *tributum* had been discontinued, the levies were requiring special officers in distant places, and the older tribes which had been little increased were undoubtedly failing to supply their quotas. The tribes were primarily voting units, and it would appear that accessibility to Rome had had something to do with the assignments.

In the years immediately before the tribunate of Gaius Gracchus there are signs of an effort to remove the inequalities among the tribes. The citizen colony Fabrateria Nova, placed on land belonging to the Latin colony Fregellae, which had been destroyed, was put in the Tromentina, a tribe that, as far as we know, had had no previous additions. There are indications of further attempts at equalization if I am right in believing that the tribes of Latin colonies were fixed at the same time (Chap. 8), for, as Tibiletti has shown, 124 is the probable date of the award of citizenship to their magistrates. The Lex Julia of 90, I believe, simply enrolled all the men in each Latin colony in the tribe already assigned to their magistrates. The tribes of the Latin colonies were in general selected from tribes which were small before the Social War, with no awards in larger tribes except in the Terentina and the Velina.

The enormous problem presented by the enrollment of all the allies in the tribes after the Social War is associated with the great political figures of the day, and will therefore be considered in more detail in the final chapter. Here the emphasis will be on geographical matters. The controversy that raged over the registration of newly enfranchised peoples—whether in new tribes or in the thirty-one rural tribes—was, I have argued (Chap. 8), concerned entirely with the allies, and not with the Latins whose tribes had already been established. When the new citizens were finally put in the old tribes, every tribe except the Pollia was increased, the larger tribes, Teretina, Falerna, and Quirina, only by the inclusion of contiguous territory; the Velina, however, received further increases of distant peoples.

A striking feature of the distribution was the number of new divisions in the tribes. Except for the Quirina, the Teretina, and the Falerna, and perhaps the Romilia and the Voltinia, all the tribes were now divided, many of them into three of four separated districts, three of them, the Fabia the Maecia, and the Pomptina into five noncontinuous sections, one, the Cornelia, perhaps into six.

Ethnic considerations affected some of the awards. Hernicans were put in the Poblilia, already recognized as the tribe of that people, Vestini in the Quirina, where some of their peoples already were enrolled, additional Auruncan and neighboring peoples in the Teretina and Campanians in the Falerna. Ethnic relationship also determined the tribes of the people who had revolted, the reason being not the imposition of a penalty for the revolt but the lack of municipal organization among peoples who lived in villages and felt strong ethnic ties. Thus the Marsi and Paeligni were placed in the Sergia, the Marrucini and Frentani in the Arnensis, the Samnites in general in the Voltinia, the Lucanians in the Pomptina, most of the Hirpini in the Galeria. The Quirina and the Pomptina, perhaps the Voltinia and the Galeria, and possibly the Sergia already existed in the regions. There were two other large groupings, the reason for which is harder to understand, for they were in regions where community organization had developed—the people of the coast below Naples in the Menenia and many peoples in the east Tiber valley in the Clustumina. These assignments will be considered in the final chapter.

It is noteworthy that these seven tribes which had large assignments in continuous areas are in no case identical with the sixteen tribes known to have been given to Latin colonies. Two of those sixteen tribes were assigned to individual towns in the revolt, but there was a conscious effort to keep the tribes of Latin colonies from being too large.

The tribe of the Latin colony Sora, the Romilia, which had been one of the two smallest tribes before the settlements, was now, as far as we know, limited to the Sorani, who, perhaps because of their closeness to the home of the Marii, acquired more influence in the comitia than any other people. The Pupinia, not attested as the tribe of a Latin colony, was the other strikingly small tribe, with perhaps fewer voters at the comitia than the Romilia could marshall, for its new members at Sassina in north Umbria were less accessible to Rome than the Sorani. In general the larger tribes were still far away from Rome, with the Pollia and the Velina, the latter increased by additional distant people, still the largest of all. These two tribes maintained the position they had had since the assignments of Gaius Flaminius.

The assignment of tribes to all Italy, according to Beloch's very probable view, was accompanied by the dissolution of the original tribal areas, which in the immediate vicinity of Rome had long since been denuded of voters and which elsewhere had perhaps in many instances been absorbed in neighboring municipalities in the same tribe. Where that was not true, new municipalities, often small, sometimes lacking a central community, were formed. Among these were the communities known in Pliny's list as Ager Latinus, the old Pollia in my view, Ager Hernicus which, I think, was the old Poblilia, Ulubrae,

which took the place of the Pomptina, and the municipium Veiens (later Augustum Veiens), the site of the Tromentina. Municipal organization now provided a substitute for the tribes, and the tribe, organized with headquarters in Rome, served as a basis for marshalling the voters and as a source for jurors.

All Italy south of the Po was now distributed among the tribes, with a division that was so complicated that just to memorize it, as Quintus Cicero says the politician must, was a difficult and essential part of the training of the young man who meant to seek office. The problem was perhaps less serious before the year 70, for the registration in many of the newly enfranchised communities was still small. But that situation was changed after the censorship of 70–69 (Chap. 9) when the citizen rolls were doubled. A totally new political organization had to be evolved, an organization that worked through wholesale bribery and eventually through intimidation and violence.

The new voters had not really been absorbed, but the registration of still more voters was constantly under discussion. The major question concerned the Transpadani, the people of the north who had been given the status of Latin colonies by Pompey's father and had therefore acquired citizenship for their magistrates.

The ex-magistrates of the Transpadani were probably not registered as voters until the censorship of 70–69, which was carried out in Pompey's interest. I have presented evidence to show that the "colonies" there had collective influence in the elections of the next two decades. I believe that the tribes were fixed for each colony not later than the time of this censorship, and that when Crassus and Caesar tried to enfranchise the region later, the plan was to place each community in the tribe already given to the magistrates.

There were, moreover, demagogues who were trying to register the freedmen in the tribes of their patrons, the men who had set them free. The movement had started with the tribune Sulpicius in 88 who, perhaps as a measure of desperation, had secured the passage of a law giving the freedmen this coveted registration. The law was revoked and never reënacted in spite of the efforts of Manilius in 66 and of Clodius just before he met his death in 52. The interest of these men, I have argued, was primarily in the city freedmen, who, if they could be distributed, as their patrons were, through all the tribes, would have had great influence on the votes on laws which were usually in the hands of the city population.

Caesar had no interest in the vote of freedmen; his main concern was to send as many of the city freedmen as possible away to overseas colonies. But he enfranchised the Transpadani, thus placing in the tribes all the Italians south of the Alps. That completed the foundations for the Romanization of Italy, which had been carried

as far as the Po after the Social War. But Caesar, as dictator, in effect put an end to the tribes as voting districts. They never again exercised real power.

An important factor in the decline of the tribe had been the weakening through many divisions of the local associations which had been the original basis of the tribes. Men of Falerii and Venusia in the Horatia, of Genua and Abellinum in the Galeria, had no common interests except those created by the tribal organization in Rome. The *peregrini* in the tribes of the Romans whose names they took and the men who were put in tribes through special interests (Chap. 9, n. 9) had no real connection with any Italian community or its tribe. From the days of Ennius it had been customary to enfranchise *peregrini* by putting them on the lists of colonies, but the numbers had been small, only three in each colony in the time of Marius. It is indicative of the change in conditions that Caesar by a law of 59 was authorized to enroll five hundred non-resident aliens in his colony at Novum Comum. The geographical character of the tribe had changed, and the tribe as a voting unit was probably doomed even if Caesar had not been so swift in striking the death blow.

List of Italian Communities with their Tribes

This list of Italian communities with their tribes is anachronistically arranged under the eleven Augustan regions of Italy. The arrangement is adopted for convenience in referring to the list in Kubitschek, *Imperium Romanum Tributim Discriptum*,[1] pp. 8–122. The evidence for the tribes is also given in the introductory sections under each community in the volumes of the *Corpus* of Latin Inscriptions, which are cited under the regions. For Region VI, Bormann's discussions in *CIL* 11. 2, containing material not available to Kubitschek, provide a better collection of the evidence. References throughout the list to discussions in earlier chapters cite new evidence affecting assignments of tribes and new interpretation of old evidence.[2]

Dates of the full enfranchisement of peoples are included in the list when they can be established. The dates of *coloniae civium Romanorum* (c.c.R.) and of *coloniae Latinae* (c.L.) are also given when

[1] For convenience also I follow Kubitschek, in the divisions of the regions, disregarding the results of Rudi Thomsen's important book, *The Italic Regions* (Copenhagen 1947).

[2] New inscriptions recording tribes already established for communities are not cited. In general confirmatory evidence for tribes previously regarded as uncertain is cited. To that evidence should be added the inscription from Lupiae in Region II which fixes the Camilia as the tribe. See *NSc* 1957, 193.

they are known. Communities—or more properly peoples—which had citizenship before the Social War are marked with an asterisk.[3] If the citizenship cannot be established with reasonable probability, the asterisk is followed by a query. There are often references to my discussion of dates when citizenship was awarded. In Regions I–VIII lack of an asterisk indicates enfranchisement after the Social War. In Regions IX–XI the date of enfranchisement is 49 B.C. The peoples enfranchised before the Social War are listed by tribes at the end of Chapter 7. In Chapter 14, following the list of senatorial *gentes* in each tribe, all the communities of Italy are listed by tribes.

The communities in the list below are limited to those established before the death of Caesar for whose tribes there is evidence. In Regions IX, X, and XI, where there were later foundations, I have, in general, followed Fraccaro's map and Ewins' investigations.[4] I accept Degrassi's view that Forum Iuli in Region X was founded by Caesar, perhaps in 50 B.C.[5] With one exception,[6] the maps at the end of the volume show all the towns in the list, with their tribes, and also a number of other towns whose tribes are not attested.

I. LATIUM VETUS, LATIUM ADIECTUM, CAMPANIA, ETC., *CIL* 14 and 10.

LATIUM VETUS: Aricia* (338), *Hor.*; Bovillae*, Pom.? (Ch. 6, n. 26); Castrimoenium*, *Fal.* ? (Ch. 6, n. 26); Lanuvium* (332), *Mae.* (Ch. 5, n. 23); Ostia*, c.c.R., *Vot.* and *Pal.* (Appendix); Pedum* (338), *Men.* ? (Ch. 4, n. 28–29); Praeneste, *Men.*; Tusculum*, *Pap.* (ca. 380, see Ch. 7, n. 3).

AEQUI OF ANIO: Afilae*, *Ani* ?; Treba*, *Ani.*; Trebula Suffenas*, *Ani.* (Ch. 5, n. 35).

[3] See the introductory statement on the list of tribes at the end of Chapter 7. The starred communities include towns like Castrimoenium and Bovillae in which the people, though enfranchised, probably had no municipal organization until after the Social War. Capua is not starred because its territory, the *ager Campanus*, was public land until 59, and was not assigned to a tribe. Before Capua defected to Hannibal, the people were *civevs sine suffragio* and the upper classes, the *equites Campani*, like the magisterial class in Latin colonies at a later period, had full citizenship. There is no evidence for their tribe, but it may have been the Falerna, to which Capua was assigned when it was colonized by Caesar.

[4] See articles cited Chap. 7, n. 33 and Chap. 9, n. 18.

[5] *Il confine nord-orientale dell'Italia romana* (Bern 1954) 26–36.

[6] The exception is Forum Brentanorum in Region VI, whose site is North Umbria is unknown.

HERNICI: Aletrium, *Pob.*; Anagnia*, *Pob.*; Capitulum Hernicum,* *Ani.* ? (Ch. 5, n. 18); Ferentinum, *Pob.*; Verulae*?, *Cor.* ? (Ch. 7, n. 51).

VOLSCI AND PEOPLES OF LATIUM ADIECTUM: Allifae*, *Ter.*; Antium*, c.c.R. 338, *Vot.* ?, later *Qui.* (Appendix); Aquinum, *Ouf.* (Ch. 7, n. 31); Arpinum* (188), *Cor.*; Atina*, *Ter.*; Caiatia*?, *Fal.* (Ch. 7, n. 32); Cales, c.L. 334, *Pob.*; Casinum*, *Ter.*; Circeii, c.L. 393, *Pom.*; Cora, *Pap.*; Fabrateria Nova*, c.c.R. 124, *Tro.*; Fabrateria Vetus, *Tro.*; Formiae* (188), *Aem.*; Frusino*, *Ouf.*; Fundi* (188), *Aem.*; Interamna Lirenas, c.L. 312, *Ter.*; Minturnae*, c.c.R. 296, *Ter.*; Privernum* *Ouf.*; Sinuessa*, c.c.R. 296, *Ter.* (Ch. 5, n. 41); Sora, c.L. 303, *Rom.*; Suessa Aurunca, c.L. 313, *Aem.*; Tarracina*, c.c.R. 329, *Ouf.*; Teanum Sidicinum*?, *Ter.* (Ch. 7, n. 55); Trebula Balliensis*?, *Pup.* (Ch. 7, n. 27); Ulubrae*, *Pom.* (Ch. 5, after n. 13); Velitrae*, *Sca.* (Ch. 5, n. 26–29); Venafrum*, *Ter.*

CAMPANIA: Abella, *Gal.*; Abellinum, *Gal.* (Ch. 7, n. 45); Acerrae*, *Fal.*; Atella*, *Fal.*?; Calatia, *Fal.* (Ch. 7, n. 32); Capua, c.c.R. 59, *Fal.*; Forum Popili*, *Fal.*; Herculaneum, *Men.*; Misenum, *Cla.* (Claudian? Appendix); Neapolis, *Mae.*; Nola, *Fal.*; Nuceria, *Men.*; Pompeii, *Men.*; Puteoli*, c.c.R. 194, *Fal.* and *Pal.* (Appendix); Salernum*, c.c.R. 194, *Men.*? ? (Ch. 7, n. 38); Stabiae, *Men.*; Surrentum, *Men.*; Volturnum*, c.c.R. 194, *Fal.*?

II. APULI, HIRPINI, POEDICULI, SALLENTINI, *CIL* 9.

Aeclanum, *Cor.*; Ausculum, *Pap.*; Barium, *Cla.*; Beneventum, c.L. 268, *Ste.*; Brundisium, c.L. 243, *Mae.*; Caelia, *Cla.*; Canusium, *Ouf.*; Caudium, *Fal.*; Compsa, *Gal.*; Herdoniae, *Cor.*?; Larinum, *Clu.* (Appendix); Ligures Baebiani et Corneliani, *Vel.*; Luceria, c.L. 314, *Cla.*; Lupiae, *Cam.* (see n. 2 above); Rudiae, *Fab.*; Tarentum and Colonia Neptunia*, c.c.R. 122, *Cla.*? (Appendix); Teanum Apulum, *Cor.*?; Venusia, c.L. 291, *Hor.*; Vibinum, *Gal.*

III. LUCANI AND BRUTTII, *CIL* 10.

Atina, *Pom.*; Buxentum*, c.c.R. 194, *Pom.*; Copia Thurii, c.L. 193, *Aem.*; Croton*, c.c.R. 194, *Cor.*; Eburum*? *Fab.* (Ch. 7, n. 52); Grumentum, *Pom.* (Ch. 7, n. 45); Paestum, c.L. 273, *Mae.*; Petelia, *Cor.*; Potentia, *Pom.*; Rhegium, *Mae.* (see Q. Cornificius, Ch. 13); Tegianum*? *Pom.* (Ch. 7, n. 25); Vibo Valentia, c.L. 192, *Aem.*; Volcei, *Pom.*

IV. Aequi (Aequiculi) of the Himella, Sabini, Vestini, Marsi, Paeligni, Marrucini, Frentani, Samnites, *CIL* 9.

Aequi (Aequiculi): Aequiculorum res publica*, *Cla.*; Cliternia*, *Cla.*; Alba Fucens, c.L. 303, *Fab.*; Carsioli, c.L. 298, *Ani.*

Sabini: Amiternum*, *Qui.*; Cures Sabini* (268), *Ser.* (Ch. 5, n. 51ff.); Fidenae*, *Cla.* (Ch. 4, n. 7); Forum Novum*, *Clu.* (Ch. 7, n. 15); Nomentum*, *Cor.*? (Ch. 4, n. 27); Nursia*, *Qui.*; Reate*, *Qui.*; Tibur, *Cam.*; Trebula Mutuesca*, *Ser.*

Vestini: Aveia*, *Qui.*; Peltuinum*, *Qui.*; Pinna, *Qui.*

Marsi: Antinum, *Ser.*; Cerfennia, *Ser.*; Marruvium, *Ser.*

Paeligni: Corfinium, *Ser.*; Sulmo, *Ser.*; Superaequum*? *Ser.* (Ch. 7, n. 54).

Marrucini: Teate, *Arn.*

Frentani: Anxanum, *Arn.*?; Histonium, *Arn.*; Iuvanum, *Arn.*

Samnites: Aesernia, c.L. 263, *Tro.*; Aufidena*?, *Vol.* (Ch. 7, n. 39); Bovianum Undecimanorum, *Vol.*; Bovianum Vetus, *Vol.*; Fagifulae, *Vol.*; Saepinum, *Vol.*; Telesia, *Fal.* (Ch. 7, n. 45); Terventum, *Vol.*

V. Praetuttii, Picentes, *CIL* 9.

Praetuttii: Castrum Novum*, c.c.R. 289, *Pap.*? (Ch. 7, n. 36); Hatria, c.L. 289, *Mae.*; Interamnia Praetuttiorum*, *Vel.*

Picentes: Ancona, *Lem.*; Asculum Picenum, *Fab.*; Auximum*, c.c.R. 157? (Ch. 7, n. 56), *Vel.*; Cingulum*, *Vel.*; Cupra Maritima*, *Vel.*; Falerio*, *Vel.*; Firmum, c.L. 264, *Vel.*; Pausulae*, *Vel.*; Planina*, *Vel.* (Ch. 7, n. 56); Potentia*, c.c.R. 184, *Vel.*; Recina*, *Vel.*; Septempeda*, *Vel.*; Tolentinum*; *Vel.*; Trea*, *Vel.*; Castrum Truentum*, *Vel.*; Urbs Salvia Pollentinorum*, *Vel.* (Ch. 7, n. 12).

VI. Umbria, *CIL* 11 (with material not available to Kubitschek).

Aesis*, c.c.R. 247?, *Pol.* (Ch. 7, n. 20); Ameria, *Clu.*; Arna, *Clu.*; Asisium, *Ser.*; Attidium, *Lem.* (*Ouf.* of *IRTD* is wrong); Camerinum, *Cor.*; Carsulae*?, *Clu.* (Ch. 7, n. 19 and Appendix); Fanum Fortu-

nae*, *Pol.*; Forobrentani*, *Pup.* (Ch. 7, n. 53); Forum Flamini*, *Ouf.* (Ch. 7, n. 37); Forum Semproni*, *Pol.*; Fulginiae*, *Cor.*; Hispellum, *Lem.*; Iguvium, *Clu.*; Interamna Nahars*? *Clu.* (Ch. 7, n. 14–18); Matilica, *Cor.*; Mevania, *Aem.*; Mevaniola, *Ste.*; Narnia, c.L. 299. *Pap.* (Ch. 8, n. 25); Ocriculum, *Arn.*; Ostra*, *Pol.*; Pisaurum*, c.c.R. 184, *Cam.*; Pitinum Mergens, *Clu.*; Pitinum Pisaurense, *Ouf.* (Ch. 8, n. 35); Plestia*, *Ouf.*; Sassina, *Pup.*; Sentinum, *Lem.*; Sestinum, *Clu.*; Spoletium, c.L. 241, *Hor.*; Suasa Senonum*, *Cam.* (Ch. 7, n. 38); Tadinum*?, *Clu.*?? (Ch. 7, n. 19); Tifernum Metaurense, *Clu.*; Tifernum Tiberinum, *Clu.*; Trebiae, *Aem.*??; Tuder, *Clu.*; Tuficum, *Ouf.*; Urvinum Hortense, *Ste.*; Urvinum Metaurense, *Ste.*; Vettona, *Clu.*

VII. Etruria, *CIL* 11.

Arretium, *Pom.*; Blera, *Arn.*; Caere*, Vot.? (Ch. 7, n. 28); Capena*, *Ste.*; Castrum Novum*, c.c.R. 264?, *Vol.*? (Ch. 7, n. 29); Clusium, *Arn.*; Cortona, *Ste.*; Faesulae, *Sca.*; Falerii, *Hor.* (Ch. 7, n. 46 for possible earlier colony); Ferentium, *Ste.*; Florentia, *Sca.*; Forum Clodi*, *Arn.*? (Ch. 5, n. 6); Graviscae*, c.c.R. 181, *Ste.*; Horta, *Ste.*; Luca, c.L. 180, *Fab.* (Ch. 8, n. 24); Lucus Feroniae, *Vol.* (Caesar?, see Appendix); Luna*, c.c.R. 177, *Gal.*; Nepet, c.L., ca. 383, *Ste.*; Perusia, *Tro.*; Pisae, *Gal.*; Pistoriae, *Vel.*; Saena, *Ouf.*; Saturnia*, c.c.R. 183, *Sab.* (Ch. 7, n. 21); Sutrium, c.L. ca. 383, *Pap.*; Tarquinii, *Ste.*; Tuscana, *Ste.*; Veii*, *Tro.*; Vetulonia, *Sca.*; Visentium*, *Sab.* (Ch. 7, n. 21); Volaterrae, *Sab.*; Volci, *Sab.*; Volsinii, *Pom.*

VIII. Aemilia, *CIL* 11.

Ariminum, c.L. 268, *Ani.*; Bononia, c.L. 189, *Lem.*; Brixellum, *Arn.*; Claterna*, *Pol.*; Faventia*, *Pol.*; Forum Corneli*, *Pol.*; Forum Livi*, *Ste.*; Mutina*, c.c.R. 183, *Pol.*; Parma*, c.c.R 183, *Pol.*; Placentia, c.L. 218, *Vot.*; Ravenna, 49, *Cam.*; Regium Lepidum*, *Pol.*; Veleia, *Gal.*

IX. Ligures, *CIL* 5. On the tribes of Regions IX, X, XI, see articles of Ewins cited, Ch. 7, n. 33; Ch. 9, n. 18. For communities not marked with a star the date of full enfranchisement is, in most cases, 49.

Alba Pompeia, *Cam.*; Albingaunum, *Pob.*; Albintimilium, *Fal.*; Aquae Statiellae, *Tro.*; Dertona*, c.c.R. ca. 120, *Pom.*; Forum Fulvi*, *Pol.*; Forum Germanorum*, *Pol.* (Ch. 7, n. 33); Genua, *Gal.*; Hasta*,

Pol.; Industria*, *Pol.*; Libarna, *Mae.*; Pollentia*, *Pol.* (Carreum) Potentia*, *Pol.*; Vardagate*, *Pol.*

X. VENETI ETC., *CIL* 5 (see under IX)

Acelum, *Cla.*; Altinum, *Sca.*; Aquileia, c.L. 181, *Vel.*; Ateste, *Rom.* (Ch. 9, n. 28); Atria, *Cam.*; Bellunum, *Pap.*; Brixia, *Fab.*; Cremona, c.L. 218, *Ani.*; Feltria, *Men.*; Forum Iuli, *Sca.* (see n. 5 above); Mantua, *Sab.*; Opitergium, *Pap.*; Patavium, *Fab.*; Tarvisium, *Cla.*; Tridentum, *Pap.*; Verona, *Pob.*; Vicetia, *Men.*

XI. TRANSPADANI, *CIL* 5.

Bergomum, *Vot.*; Comum, *Ouf.*; Eporedia*, c.c.R. 100, *Pol.*; Laus Pompeia, *Pup.*; Mediolanum, *Ouf.*; Novaria, *Cla.*; Ticinum, *Pap.*; Vercellae, *Ani.*

PART II

THE TRIBES OF REPUBLICAN SENATORS

CHAPTER 12

THE SOURCES FOR THE TRIBES OF SENATORS

The most influential men in the tribes were the members of senatorial families who assiduously cultivated their fellow tribesmen to secure votes for themselves and their friends. It is therefore important for an understanding of republican politics to ascertain the tribes of senatorial families. A list of senatorial *gentes* with tribes was published by Mommsen in 1881 in his commentary on the document that can now be described as the *Senatus Consultum* and *Consilium de agro Pergameno*.[1] Mommsen's list of 62 names, with additional fragmentary names, made no claim to completeness. It included the names from lists of witnesses to *Senatus Consulta* and from lists of members of *Consilia*, and a few other names that Mommsen added out of the fulness of his knowledge. Since then, other records of *Senatus Consulta* and *Consilia* have been discovered, including another copy of the document on Pergamene land. There are, moreover, other sources for tribal assignments, not used by Mommsen. From all these sources I have compiled in Chapter 13 a list which is roughly five times the length of Mommsen's, but which, unlike his, includes many men whose tribes are not surely established.[2]

The best source for tribes is the occurrence of the name with tribe attached, and such names are found mainly in the *Senatus Consulta* and records of *Consilia* of magistrates, and in Cicero, who, almost alone among ancient writers, sometimes includes the tribe in the name. In the *Pro Plancio* and occasionally elsewhere Cicero gives evidence that leads to the identification of tribes of other senators, and there is information of varying value in Varro, Livy, Valerius Maximus, and Columella. The other major source for the tribes is provided by the place of origin. Here literary and inscriptional evidence, coin types, and the names themselves are of value.

Names of Witnesses in Senatus Consulta[3]

The names of witnesses in the oldest senatorial decrees appear without tribes. The earliest name with a tribe is the second name in

[1] *Ephem. Epigr.* 4 (1881) 213–22, with list on pp. 218–21; reprinted (with Dessau's notes) *Gesamm. Schr.* 8. 344–55, with list on pp. 350–53.

[2] See that list for documentation on senators and *gentes* mentioned in this chapter.

[3] See O'Brien-Moore s.v. "Senatus Consultum," *RE*, Suppl. 6 (1935), with the list, col. 808–10. I have included in my list below the decrees from

my alphabetical list, M.'Acilius M.' f. Vol., one of the witnesses in the S.C. *de Thisbaeis* of 170. The use of the tribe for him, while it is omitted for the other two witnesses, is to be explained as a means of distinguishing him from another senator of identical *nomen*, *praenomen*, and filiation. That is also the explanation of the tribe attached to the name of Ti. Claudius Ti. f. Clu. in the S.C. *de Delo*, dated about 164 B.C. About the year 160 the custom of attaching the tribes to all names seems to have been established, and is followed consistently in every decree preserved until the two S.C. *de ludis saecularibus* of 17 B.C., where the tribes are omitted. After that the tribes appear again, but are not always used.

The majority of the decrees are preserved in Greek inscriptions, in which the names of the tribes, regularly abbreviated in Latin, are written out in full. One of the inscriptions appears in both a Greek and a Latin version. From literary sources two decrees with identical witnesses are found in a letter of Caelius to Cicero, and three concerned with the Jews are given in Josephus' *Antiquities*. The date of two of these is uncertain, and in all three many of the names and tribes appear in corrupt form.

The following Senatus Consulta have names with tribes:[3a]

S.C. 170, *de Thisbaeis*, Dittenberger, *Syl*[3] 646. Five names in two S.C., only one name with a tribe.

S.C. ca. 164, *de Delo*, *Syl*[3] 664 (*Inscr. de Délos* 4. 1. 1510, ed. by Roussel and Launey, Paris 1937). Three names, only one with tribe.

S.C. 175–60, *de Ambractiotibus et Athamanibus*, *SEG* 3. 451. Three names, two with tribes, the third with the tribe presumably lost in a lacuna on the stone. The presence of tribes with the names may provide an argument for dating the inscription close to 160, and for placing before 159, the latest possible date, the S.C. *de Tiburtibus* (*CIL* 1^2. 586), in which the names lack tribes.

S.C. 161, *de Magnetum et Prienensium litibus*, *Syl*[3] 679 II. Two names preserved with tribes. On the date, see Holleaux, *BCH* 48 (1924) 396 n. 1; *MRR* 1, p. 444 n. 2.

S.C. ca. 140, *de Narthaciensibus et Melitaeensibus*, *Syl*[3] 674. Three names with tribes. On the date, see *MRR* 2, p. 643.

S.C. 135, *de Prienensibus*, *Syl*[3] 688. Three names, three tribes.

S.C. ca. 134, *de Iudaeis*, Joseph. *Ant.* 14. 145. Two names, two tribes. On the date, see *MRR* 1, p. 491 n. 2.

170 to 25 B.C. that have names of witnesses. For collections of the material, see P. Viereck, *Sermo Graecus* (Göttingen 1888) and *FIRA* 1 (1941), 237–300. The latter work includes important documents discovered recently.

[3a] See the Index under Senatus Consulta and Consilia for page references in Chap. 13 to the names in each list.

S.C. ca. 126, *de Iudaeis*, Joseph. *Ant.* 13. 260. Two names, two tribes. On the date, see *MRR* 1, p. 509 n. 2.

S.C. 112, *de scaenicis Graecis*, *Syl*[3] 705. Of the four names with four tribes only one name remains complete with tribe.

S.C. 80. Fragmentary decree quoted in a letter to the people of Thasos from Sulla in his second consulship. C. Dunant and J. Pouilloux, *Recherches sur l'histoire et les cultes de Thasos* 2 (Paris 1958), no. 174, pp. 37–45. Fragments of one name with uncertain tribe. See Chap. 13, last name.

S.C. 78, *de Asclepiade*, *CIL* 1[2]. 588 (bilingual inscription). Three names (one fragmentary), three tribes.

S.C. 73, *de Oropiis*, *Syl*[3] 747 iii. Three names, three tribes. The inscription also records a senatorial Consilium in which there are sixteen names with tribes. See discussion of Consilia below.

S.C. 51, *de provinciis consularibus*, Cic. *Fam.* 8. 8. 5–6. Two decrees with identical witnesses. Eight names, eight tribes.

S.C. 44, *de Iudaeis*, Joseph. *Ant.* 14. 220. Ten names, all with tribes; an eleventh for which the tribe is lost.

S.C. 39, from the shrine of Zeus Panamaros near Stratoniceia, *BCH* 11 (1887) 225. Ten names with nine tribes, the tenth too fragmentary to be identified.

S.C. 35, *de Aphrodisiensibus*, P. Viereck, *Sermo Graecus*, p. 40, with details on date on p. vii. Fragmentary names, for two of which the name can be reconstructed with tribe; a third tribe with *cognomen*. Some of the names are identical with those in S.C. 39.

S.C. 25, *de Mitylenaeis*, *IGRRP* 4. 33 b and c (*IG* 12. 2. 35). Two decrees, each of which, with some duplication, had at least six names with tribes. Four names with tribes, all belonging to republican senatorial *gentes*, are preserved, and one tribe without name.[4] These two decrees are referred to in the list of senators as S.C. 25 b and 25 c.

The names with tribes before the S.C. of 73 consist regularly of *praenomen*, *nomen*, and father's *praenomen*. The absence of *cognomina* in every case except one makes identification even of the *familiae* within the *gentes* difficult, but, since every *familia* had favorite *praenomina*, the *praenomina* provide some assistance. Beginning with the S.C. of 73, *cognomina* are regularly included for *gentes* and *familiae* which used *cognomina*. The names are arranged in descending order, with the *consulares* in order of seniority first, followed by *praetorii*, *aedilicii*, *quaestorii*. The arrangement can be clearly seen in the *consulares* of the S.C. of 51, 44, and 39, and what we know of the other men listed suggests a similar arrangement of the men of lower rank.[4]

[4] In the S.C. of 25 the order within the group of *consulares* is altered to give priority to Paullus Aemilius Lepidus cos. suff. 34 over C. Asinius Pollio,

Lists of Members of Consilia of Magistrates

Next to the Senatus Consulta the most important source for senatorial names with tribes is to be found in the records of Consilia called by magistrates to whom special action or special investigations were assigned in Rome, and by magistrates and pro-magistrates who, in positions of command away from the city, sought counsel before taking action that involved the state.[5] The Consilium presented its decision in writing, and the names of the members, accompanied by the tribe, were attached to the decision. As in the Senatus Consulta the names seem regularly to have been arranged in descending order of rank.[6] Five republican records of Consilia, dating from 129 to 49, have been preserved. Two represent Consilia of magistrates in Rome. The second of these was made up entirely of senators, but the composition of the first will require some discussion. There are three records of Consilia of consuls in command of armies away from the city. Such military Consilia were not limited to senators, though it was customary to include any senators present; furthermore, among the members there were usually sons of senatorial families. The problem in dealing with these military Consilia is to determine which names belong to senators and to senators' sons.

Consilia of Magistrates in Rome

The S.C. and Consilium *de agro Pergameno* concerns a conflict between the publicans and the people of Pergamum. Two fragmentary copies of it are known. The first, referred to as A, found at Adramyttium and first published in 1874, can be conveniently consulted in *IGRRP* 4. 262. It was in a commentary on the inscription that Mommsen published the list of senators with tribes, mentioned above.[7] The second copy, Version B, found at Smyrna, was first published in

cos. 40. The former belonged to an old patrician family, while the latter was raised to the patriciate in 29. Evidently Augustus, unlike his predecessors, favored patricians in the records, and made a distinction between old and new patricians, such as Tarquinius Priscus was said to have made between *gentes maiores* and *gentes minores*. See Cicero, *R.P.* 2. 35–36, with Mommsen's comments, *RF* 1. 258 f.

[5] On the Consilium, see, most recently, John Crook, *Consilium Principis* (Oxford 1955), Chap. 1, on republican background, with bibliography.

[6] For the order of names in the Consilium of 73, see n. 22 below; for the special order in military Consilia, see Cichorius, *RS* 134 ff.

[7] *Gesamm. Schr.* 8. 344–55, with later bibliography cited by Dessau there; see also Cagnat's notes on *IGRRP* 4. 262.

1934.[8] An adequate publication with photographs is still lacking, but the inscription has been reconstructed with the aid of Version A, and commented upon in some detail by Passerini in *Athenaeum* 15 (1937) 252–83.[9] As he showed in his important investigation, the remains of the names of two consuls date the document not, as has been generally believed, in the period from 120 to 100, but in the year 129.[10] It was clearly a Senatus Consultum[11] and a report of a Consilium. The names of witnesses of the S.C. are lacking, but of the 55 names in the Consilium, 36 are entirely preserved with tribes; besides, there are nine tribes with names that cannot, except in one case, be restored with any degree of probability; three names with fragmentary records of tribes; and three names for which the tribes are lost; of the other four names not more than a letter each remains.

Version A is apparently a contemporary copy. Version B belongs to a series of documents on Pergamene land, which were inscribed, after Caesar was dictator, on two stelae in the agora of Smyrna.[12] In the two copies there is a difference in the order of names. Numbers 8 and 9 of B appear as 23 and 24 of A. I have followed the order of B, because the identity of tribe in numbers 7 and 9 would explain the omission of two names subsequently included.[13] There are also differences in the text to be noted later. In the list below I give the names in Latin form, with abbreviations of the tribes, which are written out in

[8] Miltner-Selahattin, *Turk tarih* 2 (1934) 239–42, with an inadequate photograph of the stone on p. 240; *Ann. Epigr.* 1935, pp. 53 ff.

[9] Passerini had squeezes and photographs which he did not publish. I have used his text and have depended on his dating for my identifications, which often do not agree with his. The need of a new publication of the Smyrna text is stressed by Joseph Keil, *Kleinasien und Byzanz, Istanbuler Forschungen* 17 (1950), 54 f. For further bibliography, see notes 10 and 12 below.

[10] Passerini's date has been questioned, as far as I know, only by David Magie, *Roman Rule in Asia Minor* (Princeton 1950) 1055, n. 25. See Broughton's answer to his objections, *MRR* 1.496 f. Cf. also E. Gabba, *Athen* 32 (1954) 69, n. 3. An important contribution to the date has been made by G. Tibiletti, *JRS* 47 (1957) 136–38, who has shown that only before Gaius Gracchus' law on the province of Asia could the strife between publicans and Pergamum have arisen. Passerini's date was anticipated by Kubitschek, s.v. "Tribus" *RE*, col. 2512 (published 1937 after Kubitschek's death). He had seen only a ms. copy of the inscription.

[11] O'Brien-Moore (see n. 3 above), writing before the Smyrna copy was known, did not consider this document a Senatus Consultum, and therefore omitted it from his list.

[12] M. Segrè, *Athen* 16 (1938) 119–27; L. Robert, *Anatolian Studies presented to W. H. Buckler* (Manchester 1939) 227 ff.; Tibiletti, *op. cit.*, with additional bibliography.

[13] A discussion with Professor E. Gabba led me to reach this conclusion on the order.

the Greek text. I also give brief comments on identifications which, for these and other names, are discussed in the list in Chapter. 13 The dots to indicate lacunae in the names, except for the second name, preserved only in A, are not to be taken as evidence for the length of the lacunae, on which, for B particularly, the publications give inadequate information.

1. Q. Caecilius Q. f. Ani.	Cos. 143
2. C. . . . .ius C. f. Men.	C. Laelius, cos. 140 ?
3. M. Pupius M. f. Sca.	Adoptive father of M. Pupius Piso, cos. 61?
4. C. Cornelius M. f. Ste.	Son of M. Cornelius Cethegus, cos. 160?
5. L. Memmius C. f. Men.	Son of the pr. of 172, C. Memmius?
6. Q. Valgius M. f., tribe ending -lia	
7. L. Iulius Sex. f. Fal.	Son of cos. 157 and father of cos. 90
8. C. Annius C. f. Arn.	In A, nos. 8 and 9 are listed as nos 22 and 23
9. C. Sempronius C. f. Fal.	Perhaps son of xvir s. f., C. Sempronius Longus of 174, and father of the legatus C. Longus of 96
10. C. Coelius C. f. Aem.	
11. P. Albius P. f. Qui.	
12. M. Cosconius M. f. Ter.	Pr. 135?
13. P. Gessius P. f. Arn.	
14. L. Afinius L. f. Ouf.	
15. C. Rubrius C. f. Pob. (A), Pup. (B).	Tr. pl. 133?
16. C. Licinius C. f. Ter.	Tr. pl. 145?
17. M. Falerius M. f. Cla.	
18. M.' Lucilius M. f. Pom.	
19. L. Filius L. f. Hor. (B), Sab. (A).	
20. C. Didius C. f. Qui.	
21. Q. Claudius Ap. f. Pol.	Son of cos. of 143?
22. L. Antestius C. f. Men.	Ἀνότιος (A), Ἀνθέστιος (B)
23. Sp. Carvilius L. f. Sab.	
24. P. Silius L. f. Gal.	The tribe in B is Οὐαλερία
25. Cn. Octavius L. f. Aem.	Grandson of cos. 165, Cn. Octavius Cn. f.?
26. M. Appuleius A. f. Cam.	
27. L. Afinius L. f. Lem.	
28. C. Nautius Q. f. Vot.	In A the *nomen* is Νούτιος.

29. C. Numitorius C. f. Lem.	Father of tr. mon. of late 2nd cent.?
30. L. Cornelius M. f. Rom.	
31. Cn. Pompeius Cn. f. Clu.	Uncle of Cn. Pompeius Strabo, cos. 89?
32. P. Popillius P. f. Ter.	
33. L. Domitius Cn. f.	Probably son of cos. suff. 162, and younger brother of cos. 122
34. ..... M. f. Pup.	
35. M. Munius M. f. Lem.	
36. ..... . f. Lem.	
37. Q. Popillius P. f. Rom.	
38. ..... Mae ?	
39. Q. Laberius L. f. Mae.	
40. C. Herennius	
41. ..... Q. f. Ouf.	
42. M. Serius M. f. ...	
43. ..... Ter.	
44. L. Genucius L. f. Ter.	
45.	(Only final *a* of tribe preserved)
46. L. Plaetorius L. f. Pap.	
47.	
48. M. Lollius Q. f. Men.	
49. C.	
50. ..... ilius Sex. f. Cam.	
51. Cn. Aufidius, tribe ending –na.	Perhaps grandfather of cos. of 71
52. ..... Vel.	
53. L. Antestius, tribe ending –na.	
54. P. ..... Sab.	
55. M.	

A and B differ in the *nomina* of nos. 22 and 28, for both of which the reading of B is to be preferred. There are also differences in the tribes of nos. 15, 19, and 24. For no. 15 the Pob. of A is correct, for there is another record of a C. Rubrius in the Poblilia. The Galeria of A is certainly the correct reading for 24, for there was no Valeria tribe. For 19, the Hor. of B seems more likely than the Sab. of A, for the latter may be a mistake from no. 23, while the Horatia does not occur elsewhere in the list, which is completely preserved for this part of the record.

As Foucart suggested in his reconstruction of A,[14] this is apparently the Consilium of a praetor. When the document was variously

[14] *BCH* 9 (1885) 401 ff. See also Mommsen, *RSt* 3. 968 n.; Tibiletti, *op. cit.*

dated between 120 and 94, it seemed likely to several scholars that the Consilium included, with senators, a number of non-senators, knights who were perhaps business men from Asia. This was still the view of Passerini after he established the date as 129.[15] He thought it improbable that fifty-five senators would have been available for a Consilium in Rome. Broughton differs from him, listing all the men in the Consilium as members of the senate in 129.[16] I agree with Broughton, and have put all the men in my list of senators with tribes. I give a brief statement of my reasons.

In the first place, it would seem likely that in 129, when Gaius Gracchus' jury law had not yet given the knights a place in the councils of the state, a Consilium of one of the chief magistrates, provided for by senatorial decree, would have been made up of senators. The only Consilia of consuls and praetors of which we have specific evidence before that time were composed of senators.[17] The Consilium of the praetor was the basis of the jury in the public courts, and after the juries were instituted they are often referred to as the Consilium.[18] The juries created for the extortion court under the Lex Calpurnia of 149 were made up of senators, and I think the same would have been true of the Consilium set up in what seems to have been a *quaestio extraordinaria* to examine the difficulties between the publicans and the Pergameni. Similarly in 73, when the juries were again in the hands of the senate, the Consilium of the consuls *de Oropiis* (to be discussed later) is composed entirely of senators.

Moreover, the list of names provides some support for the assignment of the entire group to the senate. Of the 42 *nomina* preserved, all but five are known in the senate under the republic.[19] The brevity of the name forms without *cognomina* and the lack of information for magistrates and senators for this period make it difficult to attach

[15] It is also the view of Gabba (*op. cit.*, n. 10 above), who notes the occurrence of certain of the *nomina* among business men of the East. But, with one exception (Gessius), the names he cites are also known in the senate.

[16] See Index of Careers in *MRR*, under the names.

[17] A Consilium from the senate was appointed to aid the consuls of 180 to move the Ligures Apuani to Samnium (Livy 40. 38. 7). The Consilium of the praetor provided for in the S.C. of 170 was to consist of senators (cf. Passerini, *op. cit.* 259). The Consilium which aided the consuls of 132 in their investigation of the supporters of Tiberius Gracchus was made up of senators. (Cic. *Lael.* 37; Val. Max. 4. 7. 1). The ten legates from the senate who were sent with the praetor M. Pomponius to investigate the Pleminius affair are described as a Consilium (Livy 29. 20. 4).

[18] For the evidence, see Mommsen, *Strafrecht* 213 ff.; Greenidge, *The Legal Procedure of Cicero's Time* (Oxford 1901) 383 ff.

[19] Afinius, Falerius, Filius, Gessius, and Munius are the only names for which other examples are not found in the Index of Careers in *MRR*.

the names to specific persons; the only one whose identification seems certain is the first one, who must be Q. Caecilius Macedonicus, consul 143, a senior *consularis*, who might well head the Consilium. The next name is probably that of C. Laelius, consul 140, an identification proposed tentatively by Passerini. It would apparently fit the space in A, which alone preserves the name. There is no other name preserved that belongs to a man who attained the consulship, but there are several likely identifications. No. 12 seems to be the praetor of 135; no. 15, the *tribunus plebis* of 133; no. 16, the *tribunus plebis* of 145; no. 29 is perhaps the father of the *triumvir monetalis* whom Sydenham dates in 135–26, Pink in 118–104.

The arrangement of names, as Broughton has suggested to me, indicates that all of them belong to senators. If there were knights in the Consilium, they should be named after the senators, and there should be a group of unknown names following the names of senators, but that is not the case. Well known names and senatorial names continue to occur throughout. Thus, no. 21 is a member of the patrician Appii Claudii; nos. 25, 30, and 32 seem to belong to consular families; no. 33 is a member of one of the greatest plebeian consular houses, the Domitii Ahenobarbi. Of the last twenty-three names on the list, twelve are either too fragmentary for identification or are entirely lost, but of the eleven names that remain, no. 37 belongs to a consular house; no. 46 to a well known senatorial family; no. 51 may be the ancestor of a consul; and no. 53 has the *nomen* and the favorite *praenomen* of a house known from the fifth century particularly for its tribunes of the plebs.

For these reasons the Consilium is, in my view, made up of senators. Like the names in the Consilium of 73, to be discussed next, the names here are, I believe, arranged, as witnesses of senatorial decrees regularly are, by order of rank. The first man certainly, and the second probably, are *consulares*. In a Consilium of this size there would naturally be a large group of *praetorii*, for at a time when there were six praetors a year, the *praetorii* and the *consulares* would have made up about half of a senatorial body of approximately three hundred. [20] If the twelfth man on the list is the praetor of 135, there would surely have been additional names from the thirty praetors of 134–30. I have assumed that a third of the men are *praetorii*, and in the list in Chapter 13 I have designated the first eighteen names, the later ones with a query, as *praetorii*; for the others I have made no estimate of rank, simply giving the place in the Consilium. [21]

[20] Willems, *Sen.*[2] 1. 303–42, estimates that there were 45 *consulares* and 121 *praetorii* in the senate of 179. He may, as he admits, have overestimated the longevity of the praetors, whose deaths are seldom recorded.

[21] Many of the earlier identifications of men in this Consilium, made with an incorrect date of the document, are now impossible. It is particularly

The S.C. and Consilium *de Oropiis*, *Syl.*[3] 747, has been included among S.C. because of the three witnesses listed in it. The consuls are provided with a Consilium of sixteen members, all of whose names are preserved with tribes (747 II). Since the next to last name in the list appears among the three witnesses to the senatorial decree, and was therefore a member of the senate at the time, it is clear that all members of the Consilium were in the senate. A Consilium made up entirely of senators is, as I have noted above, to be expected at a period when the juries in the public courts were in the hands of senators. The Consilium was composed of at least five *praetorii* and eight *quaestorii*, with some uncertainty about the rank of the three men listed between these two groups.[22]

Consilia of Magistrates in the Field

The Consilium called by the general in his camp was not confined to senators, though all senators present in the army were normally included. The Consilium was regularly made up of the *legati*, the quaes-

unfortunate that Cichorius, in his *Untersuchungen zu Lucilius* (*UL*) 1–6, 19, did not have the correct date, for he might have made a contribution to this list as significant as the one he made to the Consilium of Pompeius Strabo, to be discussed below. He and Willems are the only two scholars, as far as I know, who have carefully considered the order of names in their identifications, though Mommsen (*RSt* 3. 968 n.) assumed that even if knights were included, account was taken of rank in the arrangement of names. Willems, *Sen*[2] 1. 693–708, was led by his date for the document, 98–94 B.C., to identifications that are now shown to be untenable. For criticism of Willems, see Mommsen, *loc. cit.* In general, the authors of recent biographical articles in *RE*, including one of the original editors of the inscription, Miltner, s.v. "Pompeius" 6, have been unfamiliar with Passerini's date of the document. An exception is Volkmann, s.v. "Popillius" 29 and 30.

[22] See Mommsen's commentary, *Gesamm.Schr.* 5. 495–513. The list in *MRR* under the year 73 includes with the *quaestorii* the two men who appear only as witnesses, and are obviously of that rank. If the second man in this Consilium, C. Claudius Glaber, is the praetor of 73, the names are not arranged by seniority, for the fifth man, C. Licinius Sacerdos, was pr. in 75. Clodius, the pr. of 73, defeated by Spartacus, was almost certainly a Glaber, the only other known example of this *cognomen* in the *gens*. (On the confusion of names and titles in the sources, see *MRR* 2. p. 115, n. 1, with reference to Münzer's discussion.) It is to be noted that the first man in the list, M. Claudius Marcellus, seems to have been active in the nineties, and the second man may have been about the same age. He is perhaps the father of the praetor of 73. Of the men who follow Cicero in this list (quaestor 75, no. 9 in the list), two, of whose careers we have some knowledge, Q. Pompeius Rufus, no. 11, and Q. Minucius Thermus, no. 13, reached the praetorship some years after Cicero.

tor assigned to the general, the military tribunes, young men of the officer class—that is, sons of senators and knights—and the centurions of the highest rank. [23] The three lists of members of military Consilia that have come down to us must be carefully examined to determine which are senators and which senators' sons, whose tribes would give us the tribes of their fathers.

The Consilium of the consul of 89, Cn. Pompeius Strabo (*CIL* 6. 37045 = 1². 709 add.) is preserved on a bronze tablet in the Capitoline Museum, which was first published in 1909. The Consilium was made up of 59 members; the names of 50 with tribes are complete; in addition there are three names without tribes, and two tribes, one of them the rare urban tribe *Suc.* (Suburana), without names. This list has been brilliantly analyzed by Cichorius, and, like Münzer and Broughton, I have tentatively accepted most of his identifications, including those of the names he has assigned to senators' sons and to men who subsequently became senators. Cichorius has divided the list into three parts, composed respectively of officers, of sons of senators and knights, and of centurions of the highest rank. The first group, nos. 1–22, is convincingly interpreted as a list of four *legati*, one quaestor, and seventeen military tribunes. I have included in my list all these names for which a tribe is preserved, giving with a query the rank suggested by Cichorius, and for some of the military tribunes questioning whether the men or their families ever belonged to the senate. The second group, nos. 23–55, made up primarily of *tirones* from the senatorial and equestrian classes, is, as Cichorius has shown, not arranged by the rank of the families. The basis of arrangement was probably, as he suggests, the date of entrance into Pompeius Strabo's army, and the list is headed by an alphabetical group in the Velina tribe, apparently young men of Picenum who speedily joined a general known to have been a large landholder in the region. After them come several names, including those of the young Pompey and the young Catiline, who belonged to families that were prominent in Roman politics. With them appear a number of obscure names. Of this group of thirty-three, I have included in my list of senators twenty, a number of them with a query as to whether they or their families can be assigned to the senate.[24]

[23] On military Consilia, see Polyb. 6. 24; Sal. *Jug.* 104; Caes. *B.C.* 1. 23; Plut. *Cato Min.* 59. Further evidence is provided by the lists of Consilia discussed below. See Mommsen, *RSt* 1³. 316 and Cichorius' study of the Consilium of 89, *RS* 130–85.

[24] The following names with tribes are omitted in my list from the second group (nos. 23–55): no. 23, T. Acilius T. f. Vel.; no. 25, Q. Petillius L. f. Vel.; nos. 26–27, L. and T. Terentius A. f. Vel.; no. 28, L. Vettius L. f. Vel.; no. 29, C. Fornasidius C. f. Pol.; no. 32, M. Hostilius M. f. Vel.; no. 33, L. Ae-

Two Consilia of the consul of 49, L. Cornelius Lentulus, in Asia, are recorded by Josephus, *Ant.* 14. 228; 238–39. The first consists of eight names, the second of fourteen, including, as far as we can judge from the corrupt text of both passages, all names of the first Consilium.[25] Of the first five names, which seem to be identical in the two Consilia, one belongs to a *legatus* and the next four apparently to military tribunes, though the rank is specifically indicated only for the last name. I have included the *legatus* and three of the names following, omitting one whose tribe is lacking. Of the names that I include in my list, one, a Tongius, may be corrupt. From the succeeding group in the second record I have included a Teutius, again a corrupt name, who is listed as a military tribune, and an Atilius Serranus who has the *praenomen* and *cognomen* of a consular family. I have assumed that the other names, most of which are without tribes, belong to men of lower ranks.

Inscriptions of Individual Senators with Tribes

The inclusion of the tribe in inscriptional records of individuals belonging to republican senatorial families is not common. Only in the records of initiates into the Samothracian mysteries was the inclusion regular, and most of the initiates we know were not senators, But there are occurrences of names with tribes in the late republic, and several moneyers, for purposes of identification, put the tribe with their names on coins. The use of the tribe becomes more common in the empire, and for senators who are descended from republican senatorial houses, the tribe may have been inherited from their ancestors. I have included these men in the list, with a query if there is no evidence for the same tribe in the republican house.

The Place of Origin as Evidence for the Tribe

The senators who claimed Rome as their place of origin, including all the patricians before Caesar and many who belonged to the older

butius L. f. Men.; no. 36, Q. Rosidius Q. f. Qui.; no. 43, C. Herius C. f. Clu.; no. 44, L. Pontius T. f. Qui.; no. 53, Cn. Bussenius Cn. f. Ste. Six of these twelve men, all in the Velina, are apparently young knights from Picenum, serving under their patron Pompeius Strabo, and one in the Pollia, the bearer of the curious name Fornasidius, probably came from one of the north Umbrian or Gallic towns in that tribe, another region where Cn. Pompeius later had clients. The other names are either unknown in the senate or have *praenomina* unknown in the senatorial members of the *gens*.

[25] See Cichorius, *RS* 134–36; J. Suolahti, *Arctos* II, *Acta Philologica Fennica*, n.s. 1 (1958) 152–63.

plebeian houses, might be registered in any tribe where they held property, but the senators from citizen communities of Italy were usually in the tribe of their place of origin. That seems to have been true regularly after the Social War, when the municipalities increased in importance. There is evidence in the records for the enrollment of various senators in the tribes of their *domus*. Thus, Cicero in the Consilium of 73 appears in the Cornelia, the tribe of his native Arpinum, and a Fonteius of the S.C. of 161 is found in the Papiria, the tribe of Tusculum, attested by Cicero and by coin representations as the home of the Fonteii. M. Terentius Varro, the antiquarian, is known to have been in the Quirina, the tribe of his home, Reate, and that was also the tribe of the Flavian emperors of like origin. Cn. Plancius from Atina was in the Teretina, that town's tribe, and Maecenas (to depart from the senate) was in the Pomptina, the tribe of his native Arretium. At least in the late republic, it may be assumed that a senator whose place of origin is known was in the tribe of his *domus*, unless his citizenship antedates the award of citizenship to his community.

Knowledge of places of origin of senators thus adds to our information on the tribes. The literary and numismatic evidence on the subject has been collected by P. Willems [26] and F. Münzer, [27] and, for the late republic, by R. Syme.[28] The last two scholars have also made abundant use of local inscriptions and of the rich material on the distribution of Latin personal names available in Wilhelm Schulze's great work, *Zur Geschichte lateinischer Eigennamen* (Berlin, 1904).[29] But many of the names listed by them are not included in my list, sometimes because the evidence is admittedly weak, more often because the men have been attributed to a region where there were a number of tribes. [30]

[26] *Sen.*² 1. 179–82, where, however, many of the statements on place of origin are based on insufficient evidence.

[27] *RA*, *passim*; see also Münzer's biographical articles in *RE*, which contain a wealth of information on local associations of the men.

[28] *RR*, Chap. VI; see also names of senators in the excellent index, where full references are given to discussions of origin. Two special studies of Syme are also of importance here: " Caesar, the Senate and Italy, " *PBSR* 14 (1938) 1–31, and " Missing Senators " (referred to as *MSen*), *Historia*, 4 (1955) 52–71 (a list, with comments on places of origin, of senators omitted in *MRR*).

[29] Jaako Suolahti, *The Junior Officers of the Roman Army in the Republican Period* (Helsinki 1955), has made what seems to me an uncritical use of Schulze's material in the tables on pp. 341–98. Some of the suggestions made there for places of origin are in conflict with other evidence. The tribe of T. Ampius T. f. Balbus, for instance, indicates that he was not from Campania.

[30] That is particularly true of men described as Etruscan or as Campanian, which scholars often use loosely in the modern sense. C. Messius, tr. pl. 57,

Nomina related in origin to place names are rarely of value in determining a man's place of origin. They may be older than the place names which were often derived from the names of *gentes*, or they may belong to men like the Falerius or the Pedanius of my list, who had moved from their original home.[31] That may also have been true of C. Norbanus, consul 83, a man whose non-Latin *nomen* may have been derived from Norba, but perhaps in the distant past.[32] The only *nomen* of this type in my list is Saenius, included with a query because of an ingenious suggestion of Syme.

Cognomina are more useful, though *cognomina* derived from Italian place names may, at least before the second century, denote not origin but victories over or special relations with, Italic peoples.[33]

probably came from a town with Oscan background (see Münzer, *RE*), but I can find no adequate evidence to attribute him to a specific community. I have tentatively assigned Q. Arrius, usually described by modern scholars as Campanian, to Formiae. On men of Campanian origin in the entourage of Marius, see Gabba, *Athen* 29 (1951) 256–61, and the criticisms by E. Badian, *Historia* 6 (1957) 344–46. Names of Osco-Umbrian or Etruscan origin are also of little value in determining tribe, unless there is good inscriptional evidence for assigning them to a particular community. M. Perperna, cos. 130, the first man with a non-Latin *nomen* in the consular *Fasti*, probably belonged to a family from an allied community in Etruria, where the name occurs at Clusium, Saena, Volaterrae, and Volsinii (Schulze, *LE* 88). But even if Perperna's family could be assigned definitely to one of these towns, his tribe would be uncertain, for the citizenship of his father, later called in question, was acquired before his town was enfranchised.

[31] See Schulze's epoch-making chapter on "Gentilnamen und Ortsnamen" *LE* 522–82. Particularly significant is the evidence for names from communities which had disappeared, 532 ff. The public slaves of Italian towns (524 ff.) who, when freed, took their *nomina* from the towns, cannot be shown to have been ancestors of senators, at least in the republic. These freedmen provide most of the examples of local *nomina* derived from the names of towns, but that was probably not true of the Volsinia *gens* of Volsinii, which, in Schulze's view (565), may have given its name to the town.

[32] His origin from Norba (not helpful for his tribe, since the tribe of this Latin colony is unknown) has been assumed by Münzer (s.v. *RE*) and others, but I agree with Badian, *op. cit.* in n. 30 above, 334 f., that it is unlikely that Norbanus took his *nomen* when he acquired citizenship. Badian goes further than I should in discarding *cognomina* as indications of place of origin.

[33] Even if Münzer were right (*RA*, Chap. 2) in holding that some geographical *cognomina* of the fourth-third century, like Caiatinus (or Calatinus ?) for the Atilii, denoted place of origin, the evidence would be worthless for tribal assignment, since the communities were not enfranchised at the time. But Beloch's arguments against Münzer, *RG* 338 f., seem to me valid, in spite of the deplorable tone of the polemic. See also H. Stuart Jones, *CAH* 7. 548 f. and Forni, *Curius* 184, n. 3, where other critics of Münzer's views are cited.

In the late republic, *cognomina* derived from specific towns—for instance, Calenus (Fufius), Parmensis (Cassius), Reginus (Antistius), Soranus (Valerius)—are probably valid evidence for origin. It is to be noted that an imperial inscription of Rome (*CIL* 6. 14313) shows a Soranus who is in the Romilia, the tribe of Sora. Certain *cognomina* of regional origin are also valuable as evidence for the tribe, notably Marsus (Octavius), Marrucinus (Asinius), Samnis (Statius), for there was only one tribe in each of these regions. Picens, the *cognomen* of a Herennius who may have been a descendant of an Italic general in the Social War, perhaps denotes origin from Asculum, the only allied town of Picenum, the place where the rebellion began. I have therefore placed M. Herennius Picens, with a query, in the Fabia, the tribe of Asculum.[33a] The republican senators with the *cognomen* Sabinus have been included, but there is much uncertainty about their tribes. Two of them (Titurius, Vettius), on the basis of their coin types, have been tentatively attributed to the Sergia of Cures Sabini, whose people considered themselves the original Sabines.[34] But there were two other tribes in the region, the widely extended Quirina, tribe of Reate, Amiternum, and Nursia, and the Clustumina of Forum Novum, to which, on the basis of local names, I have assigned a Calvisius Sabinus.[35] The occurrence of a Minatius Sabinus in the Pomptina suggests that even in the republic Sabinus, which became a popular *cognomen* under the 'Sabine' Claudian and Flavian emperors, was sometimes used by men of other regions, who claimed Sabine origin

[33a] Origin from towns in the *ager Ligusticus* and *Gallicus* in the Pollia may be indicated by the *cognomina* Ligus (see Octavius) and Gallus (see Caninius and Fadius). Thus a Roman epitaph (*CIL* 6, 16223, perhaps from the tomb of the Pollia tribe, cf. Chap. 1, n. 34) records the name L. Cornelius L. f. Pol. Gallus. In earlier names (Anicii, Aquilii, Lucretii, Ogulnii) Gallus may be derived from *gallus*, 'cock,' or from connections with Gallic wars and settlements. After Caesar's dictatorship Gallus may denote a wide variety of tribes, including, for instance, the Aniensis of Narbonese Forum Juli, native town of C. Cornelius Gallus, poet and prefect of Egypt.

[34] See Chap. 5 with notes 55–60.

[35] See Chap. 7, with n. 15, citing Sp. Ligustinus Crustumina, *ex Sabinis oriundus* in Livy 42. 34. 2. The Sergia and Quirina, which were more widely extended in the region, are, however, more likely tribes for the men with the cognomen Sabinus (see Sextius and —Sabinus, Chap. 13). There are imperial Sabini in these two tribes. Two Catieni Sabini are in the Sergia (*PIR*^{2} C 551, 552). Flavius Sabinus, like his brother, the emperor Vespasian, was surely in the Quirina. As Syme has suggested to me, it is likely that C. Septimius Qui. in the list is an ancestor of the imperial senator C. Septimius Sabinus. After Claudius and Vespasian made the *cognomen* popular, here are various Sabini listed in *PIR* in other tribes.

for their houses. The custom of taking this *cognomen* as an aid to candidacy for office is mentioned by Cicero. [36]

Local inscriptions are often important for the origin of senators, particularly if they show *praenomina* and *cognomina* used by senators. I have cited many such inscriptions, supplementing material available from the work of Schulze, Münzer, and Syme. My collection, which has not usually gone beyond the indexes of the Italian volumes of *CIL*, some of them published seventy years ago, is not exhaustive. [37] But it has included the new evidence supplied by republican inscriptions of masters of slaves and patrons of freedmen, discovered at Minturnae and published in 1933 by the excavator, Professor Jotham Johnson. [38] These inscriptions lead to at least one new assignment to Minturnae's tribe, the Teretina, and to the suggestion that Minturnae was the native town of several men elsewhere recorded in the Teretina. [39] But many of the masters of slaves can be shown to belong to other regions, and to other tribes than the Teretina. Local inscriptions of Italian (not provincial) municipal men, usually of imperial date, with republican senatorial *nomina* and *cognomina*, have been included when I have found them, but the collection is not exhaustive. The tribes recorded or suggested by the communities to which the inscriptions belong are sometimes different from the tribes of these families known from republican sources. The subject will be discussed in Chapter 15.

Coin types, already mentioned as confirmatory evidence for the origin and tribe of certain senators, are, in several instances, the only

[36] Cicero, *Fam.* 15. 20. 1 (a letter to Trebonius in 45), mentions a friend of Trebonius called Sabinus, and goes on: nisi forte candidatorum licentia hic quoque usus hoc subito cognomen arripuit. The candidate referred to has often been identified with the man satirized in Vergil, *Catal.* 10, usually thought to be P. Ventidius, who came from Picenum, but may have claimed Sabine ancestry. See Münzer, s.v. "Sabinus," 2, *RE*.

[37] For the dates of the Italian volumes of *CIL*, see Chap. 3, n. 7. An inscription published in 1931 has shown that the Plautii Silvani were natives of Trebula Suffenas in the Aniensis. A study of the names in other inscriptions found since the publication of the various *CIL* volumes might lead to other identifications of place of origin and tribes.

[38] *Excavations of Minturnae* 2. 1 (Rome 1933). The inscriptions are published in *CIL* 1^2. 2, fasc. 3 (1943), nos. 2678–2708, (with index pp. 847–49). Many of the masters and patrons in the inscriptions are known to have been in other tribes than the Teretina; they appear simply because they had property in the region. I cite as examples A. and M. Plautii, Cn. Lutatius, C. Marius. The effort of E. Staedler, *Hermes* 77 (1942) 149 ff., to date these inscriptions after 28 B.C. fails to take account of the names of the masters of slaves. I agree with Johnson that 2683 gives the consuls of 65 B.C. and not names of *duumviri* of Minturnae. The inscriptions belong in general to the first half of the first century B.C.

[39] See under Cosconius, Eppius, Minucius Thermus, Titinius.

source for the *domus*. The four *gentes* whose moneyers used on their coins either the jugate heads of the Dioscuri, the chief divinities of Tusculum, or scenes connected with the traditions of the town are all associated with Tusculum by other evidence.[40] But coins are the only source for the assignment of three of the six *gentes* whose moneyers used the characteristic image of Juno Sospes Mater Regina, the great goddess of Lanuvium.[41] The source is, I believe, reliable. There should be a type from Aricia emphasizing the great cult of Diana there, but Diana types are not used by any moneyer who can be assigned on other evidence to the Horatia, the tribe of Aricia. An appeal to Professor Andrew Alföldi led him to identify the three figures on the reverse of a denarius of P. Accoleius Lariscolus as a tri-form Hecate-Diana type. The name, which occurs in inscriptions of Aricia, is the first in my list of senators. The type of the reverse, which is unique, may give us a cult image.[42] Further study of coins, as well as inscriptions, may lead to additional evidence for local origins.

[40] See Cordius, Fonteius, Mamilius, Servius.

[41] See Cornificius, Mettius, Papius, Procilius, Roscius, Thorius. Renius' type does not belong to Lanuvium.

[42] See Alföldi, "Diana Nemorensis," *AJA* 64 (1960) 137–44.

Chapter 13

LIST OF REPUBLICAN SENATORS WITH TRIBES

This list includes all senators before 30 B.C. for whose tribes there is definite evidence, and also a number of other men whose tribes can be determined with more or less probability. It also includes imperial senators who are descendants of republican senatorial families and may well retain the tribes of their ancestors. The names are alphabetized by *nomina* (not under the feminine *gens* form but under the masculine nominative), in general accordance with the method followed in the *Real-Encyclopädie* (*RE*) and in Broughton's *Magistrates of the Roman Republic* (*MRR*). Names with variant spelling (Claudius, Clodius, for instance) are all listed together, with cross-references where necessary. The tribe is placed in italic capitals, not where it usually occurs, after the father's *praenomen* and before the *cognomen*, but after the full name. The numbers in parenthesis following the tribe are the numbers of the articles under the *gens* in *RE*. Occasionally a reference to the *Prosopographia Imperii Romani* (*PIR*), usually to the second edition, is substituted or added.

The source for the tribe, wherever space permits, is given on the same line with the name. The most important sources, Senatus Consulta and Consilia, which are listed with bibliography in Chapter 12, are referred to by date. If the place of origin is the only source for the tribe, the tribe is accounted for by the word "hence", e.g. "from Lanuvium, hence *MAE.*"

The brief commentaries that follow omit ancient sources not bearing on the tribe, unless I disagree with a dating in *RE* or in *MRR*.[1] My comments are fuller on the members of the two Consilia of 129 and 89. In the former document I have attempted to make some identifications and to provide corroborative evidence for my view that all members of this Consilium belonged to the senate. For the Consilium of 89 I have explained my reasons, usually based on Cichorius' important investigation, for including men in the senatorial group. Where the tribe is known, but where there is no specific evidence on place of origin, I have cited, mainly from *CIL* indexes (see Chap. 3, n. 7, for publication date), significant local occurrences of the *nomina* in towns of the same tribe.

[1] Most of the questions of date and interpretation raised in this chapter are considered by Broughton in his *Supplement to the Magistrates of the Roman Republic* (New York 1960).

Coins are cited primarily from E. A. Sydenham's *The Roman Republican Coinage* (London 1952), with datings also from Karl Pink, *The Triumviri Monetales* (New York 1952), and other authorities.

The *gentes* are listed above the names, and there is occasionally a brief discussion after all the names in a *gens*. See Chapter 15 for further discussion.[2] Material in smaller type is included because it may be helpful on the tribes.

A black dot placed before a name indicates that the man was surely a senator or belonged to a senatorial family, and that his tribe is established either in the sources or by the fact that he came from a town of known tribe which already had citizenship when the family entered the senate. A query before the name indicates that it is doubtful whether the man or his ancestors or his republican descendants were in the senate. There are also queries on name forms, tribes, and dates, etc. All dates, unless specifically listed as A.D., are B.C. Senatorial names are grouped under the tribes in Chapter 14.

ACCOLEIA

• P. ACCOLEIUS LARISCOLUS, from Aricia, hence *HOR.* (1).

Tr. mon., Sydenham no. 1148, where the date, ca. 37, is certainly too late. For the date 43 and for the reasons for assigning Accoleius to Aricia, see Alföldi, *op. cit.* in Chap. 12, n. 42. The existence of a Curia Acculeia (Varro, *L.L.* 6. 23) indicates that the name was prominent in Rome of the kingship, but it is otherwise unknown in the republican senate. The nomen (variant Acculeius) occurs in *CIL* 14, 2185 from Aricia and in 4196 and 4197 from Nemi and the Nemus Dianae in Aricia's territory. 4196 is a record of an aedilis, presumably of Aricia. Elsewhere in the indexes of the Italian volumes of *CIL* the nomen is found only in three inscriptions from Rome and one from Ostia. The three figures on the reverse are shown by Alföldi to represent a three fold Hecate-Diana type, evidently to be associated with Diana in the grove of Aricia. The type is unique.

ACILIA (see Addenda)

• M'. ACILIUS M'. f., *VOL.* S.C. 170, no. 1.

As Mommsen suggested (*Ephem. Epigr.* 1, p. 288), the tribe, which is omitted for the other witnesses in two Senatus Consulta

[2] Names of senators in this list who are discussed elsewhwere in this book are included with page references in the Index.

on the stone, is a means of identification, and it indicates that the two families of the Acilii who used the praenomen Manius, the Glabriones and the Balbi, were in the senate at the time. The tribe seems to be used to distinguish a less well known familia from the major line. See Chap. 15 below. I therefore assign this senator not to the consular house of the Glabriones (see *RE*, no. 36) but to the Balbi who had not yet reached the consulship. He would then belong to a collateral line of the family of M'. Acilius L. f. K. n. Balbus, cos. 150.

M'. ACILIUS GLABRIO CN. CORNELIUS SEVERUS, *GAL.* (*PIR*² A 71) *ILS* 1072.

Cos. 152 A.D. The republican Acilii Glabriones may not have been in this tribe. The Galeria is the tribe of a branch of the Memmii and it may have been acquired by the Glabriones through adoption, which is suggested by the name of M. Acilius Memmius Glabrio from the reign of Tiberius (*PIR*² A 75).

AEBUTIA

? D. AEBUTIUS D. f., *COR.* Consilium 89, no. 19.

Tr. mil.? Other Aebutii in the Consilium who were probably not in the senate are in the Menenia (no. 33) and the Pollia (no. 57). The praenomen Decimus is unknown both in the patrician consular family of the fifth century and in the plebeian Aebutii who were senators in the second century. Cichorius suggests, *RS* 152, that the man in the Consilium is the senator [*Aeb*]utius (*RE* no. 3) who fell with Octavius in 87 (Gran. Licin. p. 19 Flemisch, as restored by Mommsen).

AELIA

AELII TUBERONES, owners of *fundus* in *ager* of Veii, *TRO.*? (148–157).

The earliest dated member of this praetorian family is P. Aelius Tubero, pr. 201 (*RE* 152). This branch of the Aelii (see Krebs, *RE*) seems to be the subject of Valerius Maximus 4. 4. 8: Quid Aelia familia, quam locuples; xvi eodem tempore Aeli fuerunt, quibus una domuncula erat eodem loci, quo nunc sunt Mariana monumenta, et unus in agro Veiente fundus minus multos cultores desiderans quam dominos habebat. The one farm possessed by the family might have been in any of the four Veientane

tribes (Arn., Sab., Ste., Tro.) but perhaps the Tromentina on the site of Veii proper is the most likely.

L. Aelius Tubero, duumvir i.d. of Pompeii in 23 A.D. (*ILS* 6394), as Stein suggests (*PIR*² A 273), may have belonged to this family, a member of which acquired the consulship in 11 B.C. The praenomen Lucius is known in the republican praetorian family. But see Chap. 15, with n. 24. The duumvir of Pompeii was probably registered in the town's tribe, the Menenia.

AEMILIA

AEMILII, originally *AEM.* ?

Members of this gens were presumably registered originally in the tribe that bore their name.

• M. AEMILIUS Q. f., *PAL.* (72). Consilium 89, no. 10.

Tr. mil. ? Filiation and tribe (see next name) make practically certain the restoration [*M. Aem*]ilius on the bronze and the identification with the consul of 78, M. Aemilius Lepidus.

• PAULLUS AEMILIUS L. f. LEPIDUS, *PAL.* (*PIR*² A 373). S.C. 25 b, no. 1.

Cos. suff. 34. Son of consul of 50, grandson of consul of 78. The restoration of]κίου υἱὸς Παλατίνα Λέπεδος on the stone seems certain.

• PAULLUS AEMILIUS PAULLI f. REGILLUS, *PAL.* (*PIR*² A 396) *CIL* 2.3837 (*ILS* 949).

A quaestor of Tiberius, probably son of the preceding man.

• M. AEMILIUS M. f. L. n. SCAURUS, *CAM.* (140). S.C. 112, no. 1.

Cos. 115.

AFINIA

• L. AFINIUS L. f., *LEM.* Consilium 129, no. 27.

The next man from the same Consilium is the only other republican senator known in this gens. On the name, see Schulze, *LE* 112.

• L. AFINIUS L. f., *OUF.* Consilium 129, no. 14.

Praetorius.

AFRANIA

L. AFRANIUS A. f., from Cupra Maritima in Picenum? *VEL.*? (6).

Cos. 60. For his origin, see *CIL* 1². 752 (*ILS* 878), an inscription on an urn, presumably from Afranius' tomb, found near Cupra Maritima. See Lommatzsch's comments in *CIL* and Syme, *RR* 31, n. 5. His Picene origin would explain the close association with Pompey. The imputation of low birth to this man suggests that he was not closely related to two earlier senatorial Afranii with different praenomina (see *MRR*), but he may have belonged to a collateral branch of the gens which settled in Picenum.

ALBIA

• P. ALBIUS P. f., *QUI.* Consilium 129, no. 11.

Praetorius. With the new dating of the Consilium, a man of this rank cannot be identified either with the Albius (praenomen unknown) who was with Scaevola in Asia in 120, perhaps as quaestor (Cic. *De Or.* 2. 281; cf. Cichorius, *UL* 246 f.), or with the man in *CIL* 10. 44 whose name is restored as P. Albius by Cichorius (*RS* 116–25). The inscription, according to Cichorius, is a record of the land commission of M. Livius Drusus, tr. pl. 91. It is possible that we have here three successive generations of Albii, the only Albii known in the republican senate. Another Albius in the Quirina, not a senator, is L. Albius Sex. f. Quirina of Cicero, *Quinct.* 24. The tribe is here a means of identification, and suggests that other Albii with the same praenomina were known in other tribes. L. and Sex. Albii, but no P. Albii, are found in the region of Amiternum and Reate in Sabine territory which was enrolled in the Quirina (*CIL* 9. 4524, 4703, 4402 add.).

ALFENA

• P. ALFENUS P. f. VARUS, from Cremona, hence *ANI.* (8).

Cos. suff. 39. On his origin, see Porphyr. on Hor. *Serm.* 1. 3. 130.

ALFIDIA

• —] ALFIDIUS from Fundi, hence *AEM.*

The maternal grandfather of Livia, wife of Augustus; he was a municipal magistrate of Fundi who held *honores* in Rome.

See Suet. *Tib.* 5, and also *Cal.* 23, where the name is Aufidium Lyrgonem. But Livia's mother's name is Alfidia in *ILS* 125. On the name, see Klebs s.v. "Aufidius" no. 24 *RE* and *MRR* 2, p. 647; Schulze, *LE* 119, 587.

ALFIA

• C. ALFIUS FLAVUS, from Atina, *TER.* (7).

Quaesitor de maiestate et de sodaliciis (see *MRR*) 54. Cicero (*Planc.* 43) lists him as a *tribulis* of Cn. Plancius who was in the Teretina.

AMPIA

• T. AMPIUS T. f. BALBUS, *HOR.* (1). Consilium 49 a and b, no. 1.

Pr. 59, legatus 49. See *MRR*, Index, for the only other known Ampius among republican officers, a C. Ampius (not in *RE*) who was praef. soc. in 201.

AMPUDIA

• M. AMPUDIUS N. f., from Formiae, *AEM.* (1, *PIR*² A 569).

Quaest., tr. pl., aed., late rep. or early emp., *CIL* 1². 812, from Formiae (tribe omitted in the inscription). The only senator of this name known in the republican senate. An Ampudius of the same tribe is Q. Ampudius Q. f., Aem., Consilium 89, no. 50, a man who probably did not at the time belong to a senatorial family. See Cichorius, *RS* 175, 286 f.

ANICIA

C. ANICIUS, from Praeneste?, *MEN.*? (1).

Senator 44. The family came from Praeneste, but members of the house, including Q. Anicius Praenestinus, cur. aed. 304, had citizenship long before Praeneste was enrolled in the Menenia after the Social War. After that, members of the family may have been enrolled in the town's tribe.

ANNAEA

• C. ANNAEUS C. f., *CLU.* (Brocchus? *RE* 3). Consilium 73, no. 8.

Aedilicius? Probably identical with the senator C. Annaeus Brocchus, Cic. *Verr.* II. 3. 93, the only other Annaeus known in the republican senate. For the occurrence of the nomen in Etruscan inscriptions, see Schulze, *LE* 345 f. The Clustumina, the tribe of much of Umbria, is not the tribe of any town in Etruria.

ANNIA

• C. ANNIUS C. f., *ARN.* Consilium 129, no. 8 (23 in A).

Praetorius. On the Annii, see below.

• C. ANNIUS C. f., *CAM.* S.C. 135, no. 2.

• L. ANNIUS L. f., *POL.* S.C. 135, no. 3.

Only the letters Πο are left of the tribe, but the space, according to Hicks, permits no other restoration. See *Ancient Greek Inscriptions in the British Museum* 3 (1890) ccccv.

• T. ANNIUS T. f., *OUF.* Consilium 89, no. 12.

Tr. mil.? Perhaps a member of the consular family. See below.

• T. ANNIUS MILO, from Lanuvium, hence *MAE.* (67).

Pr. 55. On his origin, see Asconius, pp. 31 and 53 C. Milo, who was a Papius (see L. Papius Celsus below) of Lanuvium, was adopted by his maternal grandfather, an Annius whose praenomen in the mss. of Asconius is given as C., for which the correction T., made by Manutius, is generally accepted, perhaps erroneously. It is uncertain whether the grandfather came from Lanuvium or was a member of the senate, but the failure of Cicero in the peroration of the *Pro Milone* to appeal to Milo's ancestors suggests that they were not distinguished. Milo retained relations with Lanuvium and served as dictator there, and it is likely that he remained in the tribe of Lanuvium whether or not it was the tribe of his grandfather.

To these five Annii in different tribes may be added a sixth, T. Annius Vel., an orator (Cic. *Brut.* 178), probably not a senator. His tribe is obviously used to distinguish him from another T. Annius, conceivably, as Cichorius suggests, *RS* 148, the T. Annius

in the Oufentina from the Consilium of 89, who would have been a contemporary. The only praenomina used in this group of names are C., L., and T., but other Annii in the senate in the second and first centuries who employed the praenomina M., P., Q., and Sex. suggest further divisions of the house. Except for Milo, none of the five senators whose tribes are known can be identified. T. Annius T. f. Ouf. has the praenomen of the two consuls of this name known in the second century, T. Annius T. f. – n. Luscus, cos. 153 and T. Annius – f. – n. Rufus, cos. 128. On him as the builder of the Via Annia which connected Aquileia with the south, see A. Degrassi, *Atti del convegno per il retroterra veneziano, Ist. ven. sci., lett., e arti*, 1946, 35–40. A combination of the praenomina T. and C. is found in the name of C. Annius T. f. T. n., proconsul of Spain in 81 (see *MRR*), and either of the second-century C. Anni C. f. might belong to that family. The name Annius is common in inscriptions all over Italy and also in the senate in the empire, when Annii are recorded in several additional tribes (for C. Annius Pollio in the Cornelia, see *CIL* 6. 7395), but I have found no other clues for the lineage and none for the place of origin of any of these Annii except Milo.

ANTISTIA

• L. ANTESTIUS (Antistius) C. f., *MEN*. Consilium 129, no. 22.
L. ANTESTIUS – f., tribe ending *–na*. Consilium 129, no. 53.

For both names Ἀνθέστιος is the reading of B, which alone preserves the second name. Ἀνότιος, obviously a mistake, is the reading of A for the first name. The Antestii (later Antistii, see next name) were plebeians with a tradition as tribunes of the plebs that went back to the fifth century. If Sydenham's date, 133–26, for the tr. mon. L. Antestius Gragulus is correct (nos. 451, 465), the second man may perhaps be identified with him, but the usual dating in recent times (cf. Pink, no. 43, who places him in 118–104) has been later. For another Antistius in the Menenia, see *CIL* 6. 7678, M. Antistius C. f. Men. Pudens.

• C. ANTISTIUS REGINUS (39)
and
• L. (Antistius?) REGINUS, from Regium Lepidum, hence POL.

The first man was legatus of Caesar in 53–50, the second (not in *RE*, see *MRR*) was tr. pl. 103. They must have come from Regium Lepidum, settled by citizens ca. 173 (see Chap. 7, with n. 33). The C. Antistius Reginus who was tr. mon. ca. 13 B.C. (*PIR*² A 763) was perhaps the son of the first man.

• L. ANTISTIUS C. f. VETUS, *AEM.* (*PIR*² A 776). *CIL* 14. 2849.

Probably the consul of 55 A.D. The praenomina indicate that he belonged to the family of C. Antistius Vetus, pr. 70, ancestor of the consular family of the empire. The family seems to have claimed descent from a Gabine house. See Dionys. 4. 57 for an Antistius at Gabii in the time of Tarquinius Superbus. See also *ILS* 948 from Gabii (cf. *PIR*² C 775) and the denarius of C. Antistius Vetus of ca. 13 B.C. with representation of the striking of the treaty with Gabii, Mattingly, *CREBM* 1. 19. The Aemilia may possibly have been the tribe of Gabii for which there is no other evidence. See Chap. 4, with notes 31, 32. On the family, see Groag, *PIR*² A 770, 771.

The praenomina C. and L. used by these Antistii may mean that they all belonged to the same family.

APPULEIA

• L. AP(p)ULEIUS? L. f., *SER.* S.C. 44, no. 5.

Praetorius? The mss. readings for this name are Ἀπούλιος and Ἀπουλῖνος.

• M. APPULEIUS M. f., *CAM.* Consilium 129, no. 26.

The praenomen, unknown in the second-century family, is found in the first century. See *MRR.*

• SEX APPULEIUS SEX. f. SEX. n. SEX. pron., *GAL.* (*PIR*² A 963). *CIL* 11. 1362 (*ILS* 935).

Presumably son of the consul of 14 A.D., great-grandson of Augustus' brother-in-law, who was probably a senator before 31. See *RE*, no. 16 and *MRR*, Index. The family may have come from Luna in the Galeria, where the tomb inscription of this man, described as *ultimus gentis suae*, was found.

• L. APPULEIUS SATURNINUS, from Atina, hence *TER.* (30).

Pr. 59. Since he was the first holder of a curule magistracy from Atina, and the first in his familia (Cic. *Planc.* 19), he does not belong to the direct line of the second-century praetorian Appuleii Saturnini, who disappear after the death of Lucius, the tribune of 100. But since his praenomen and that of his son Gnaeus are used in that family, he may be a descendant of a collateral line which settled in Atina.

AQUILLIA

• L. AQUILLIUS C. f. FLORUS TURCIANUS GALLUS, *POM.* (*PIR*² A 993). *CIL* 3. 551 (*ILS* 928).

Augustan senator who apparently belonged to the family of C. Aquillius M. f. C. n. Florus, cos. 259, and of the Manii Aquillii, cos. 129 and 101. The victories of the consul of 101 in the Sicilian slave war are celebrated on the coins of M'. Aquillius, tr. mon., dated by Sydenham (no. 798) ca. 68 B.C., and of L. Aquillius, tr. mon. in 19 B.C. (*CREBM* 1, p. 9).

ARRIA

Q. ARRII, from Formiae? *AEM.*? (7, 8).

One of these men was pr. in 73, the other by 64. Arrii are found in republican inscriptions of Capua (*CIL* 1^2. 675, 676), perhaps Cales (1574), Volturnum (1607), and the neighborhood of Formiae (1568). The last inscription records the only Q. Arrius of the group of names, and it is to be noted that a C. Arrius was Cicero's *proximus vicinus* at Formiae in 59 (*Att.* 2. 14. 2), and that C. Arrius is now known as the master of a slave and patron of a freedman and a freedwoman in the inscriptions of republican magistri at Minturnae near Formiae (*CIL* 1^2. 2705, 2683, 2694). Arrius is usually referred to in modern studies as a Campanian name (see Klebs in *RE* on Borghesi's early study of the gens Arria); cf. Chap. 12, n. 30 above.

ARRUNTIA

• L. ARRUNTIUS L. f. L. n., *TER.* (7, *PIR*^{2} A 1129).

Legatus or praef. cl. 31, cos. 22. His tribe is known from the inscription from Rome probably of his son, cos. 6 A.D., *ILS* 7851. See *PIR*^{2} A 1130. The father seems to have been a native of Atina in the Teretina where he built a road and repaired drains (*ILS* 5349).

ASELLIA?

M. ASELLIUS? M. f., *MAE.* S.C. 44, no. 8.

The mss. of Josephus read ἀσέλλιος, σασέλλιος. The emendation Gellius is accepted by Münzer, s.v. "Gellius" 7, *RE*, and by Broughton, *MRR* 2, p. 491, who identify him with M. Gellius of Plutarch, *Cic.* 27.3. But the nomen Asellius is known in the senate in 33 B.C. from a praetor, Lucius, who was succeeded by his son of unknown praenomen (Dio 49. 43. 7).

ASINIA

• C. ASINIUS CN. f. POLLIO, from the Marrucini (Teate), hence *ARN.* (*PIR*² A 1241).

Consul 40. On his origin, see Livy, *Per.* 73; Sil. Ital. 17. 454; Catull. 12.1 (Marrucine Asini, of Pollio's brother). Presumably grandson of Herius Asinius, praetor of the Marrucini in the Social War. The status of the grandfather as a non-citizen is indicated by the omission of the praenomen in the triumphal lists for 39 (or 38). See Degrassi, *Inscr. Ital.* 13. 1, 21 f.; 568 f. His name is preserved without tribe in S.C. 25 b, no. 2.

ATEIA

• L. ATEIUS L. f. CAPITO, *ANI.* (9). S.C. 51, no. 7.

Quaestor by 52, pr. later; son of a Sullan centurion (Tac. *Ann.* 3. 75); father of C. Ateius Capito, cos. suff. 5 A.D. (*PIR*² A 1279). In my *TrebSuf* I suggested that he was a native of Trebula Suffenas in the Aniensis. The suggestion was based on the identification of the consul of 5 A.D. with a Capito in *fasti* which, as I showed, came from Trebula Suffenas. According to my restoration, C. Ateius Capito was duumvir of the municipality in 22 A.D., the year of his death. The suggestion was disproved by Professor Attilio Degrassi in a letter dated Jan. 29, 1957. I refrain from quoting his objections since they correspond closely to criticisms made independently by Professor J. H. Oliver in his important article, "Gerusiae and Augustales," *Historia* 7(1958), 472–96 (see esp. 484 f.).

L. Ateius Capito is recorded in *CIL* 11. 3583–84 as a duumvir of Castrum Novum in Etruria. On the tribe, perhaps the Voltinia, see Chap. 7, n. 29.

ATILIA

M. ATILIUS M. f. L. n. REGULUS, *PUP.*? (51). Val. Max. 4. 4. 6; Columella 1. 4. 2–3.

Cos. 267, cos. suff. 256. The farm of seven iugera, for the management of which Regulus requested permission to give up his command, is assigned by Valerius Maximus and Columella to the Pupinia. Regulus is said to have been *eiusdem nominis*

et sanguinis as another Atilius (see below), who was found sowing his field in the Pupinia when messengers of the senate called him to public service (Val. Max. 4. 4. 4–5), and was, from that event, given the cognomen Seranus or Serenus, supposedly derived from *serere*. It is to be noted that the cognomen Erranus occurs in the name of Regulus' relative, the consul of 257, in Cassiodorus' list of consuls. Valerius Maximus' story (in a section *de paupertate*) of Regulus farming the proverbially unfruitful soil of Pupinia, is, of course, fictitious, but Regulus may well have belonged to the Pupinia tribe. For another and less likely assignment to the Pupinia, see Q. Fabius Maximus below.

L. ATILIUS NOMENTANUS, from NOMENTUM, *COR.*? (44, cf. Nomentanus).

Tr. mon., dated by Sydenham, no. 444, 133–26; by Pink, no. 27 A before 119; legatus or prefect in Asia 120? (see *MRR* 1, p. 525, n. 7). On the tribe of Nomentum, see Chap. 4, with n. 27.

—] ATILIUS SERRANUS, *PUP.*? (cf. 57–71). Val. Max. 4. 4. 4–5.

The Atilius Seranus who was called to public service while sowing his farm (see above) cannot be identified with any historical character. Note the next man of the name, who is in the Aemilia, possibly the tribe of Gabii, which was close to the Pupinia (Livy 26. 9. 12).

For L. Atilius C. f. Seranus in Caere, which was probably in the Voturia, see *CIL* 11. 7597.

? SEX. ATILIUS SEX. f. SERRANUS, *AEM.* Consilium 49 b, no. 8.

His position in the Consilium seems to indicate that he was not a member of the senate, but since the consular family of the Atilii Serrani used the praenomen Sextus, he may have been the son of a senator, perhaps of Sex. Atilius Serranus Gavianus, tr. pl. 57.

The Atilii, according to Münzer, *RA* 57, were Campanians. But his deductions from the cognomina Calenus and Caiatanus of certain Atilii have been, in my opinion, disproved by Beloch, *RG* 338 f.

ATINIA

• ATINII LABEONES, from Aricia, hence *HOR.* (8–10).

On the origin of this family, see Cic. *Phil.* 3. 16, where, speaking of Aricia, he says *hinc Voconiae, hinc Atiniae leges, hinc multae sellae curules.* The reference is to the laws of C. Ati-

nius Labeo, tr. pl. 196 (*RE* 8), and apparently to legislation of another tr. pl., author of a *lex Atinia* and a *plebiscitum Atinium*, tentatively dated ca. 149 by Niccolini, *FTP* 129, 412.

• T. Atinius T. f. Tyranus, *FAB.* (11, *PIR*² A 1316). S.C. 39, no. 9.

Probably quaestorius.

Atia

• M. Atius Balbus, from Aricia, hence *HOR.* (11).

Pr. by 60. Maternal grandfather of Augustus, of whom Suetonius says (*Aug.* 4), *paterna stirpe Aricinus, multis in familia senatoriis imaginibus.* Cf. also Cic. *Phil.* 3. 16. See below under Balbus, and Syme, *MSen* 56.

Attia

• P. Attius P. f., *OUF.* (cf. 11). Consilium 89, no. 7.

Tr. mil.? Cichorius (*RS* 145) suggests that he is an Atius Balbus, but as Syme, *loc. cit.*, points out, that family spelled the name with one T.

P. Attius P. f., *COL.* or *QUI.* (6). S.C. 39, no. 4.

Perhaps aedilicius. See *MRR*, 2, pp. 466, 488. The letters preserved κ . . . ι may be restored either κ[ουρ]ι or κ[ολλ]ι.

Aufidia, see also Alfidia

Cn. Auf[*idius*?], tribe ending *–na.* Consilium 129, no. 51.

Aufidius, Aufeius, and Aufustius (cf. Syme, *MSen* 55 f.) are the only republican senatorial names that can be restored from the Αὐφ on the stone. The restoration Aufidius is probable, since four other Cn. Aufidii are known in the senate of the republic. See Syme, for a second-century Cn. Aufidius T. f. not listed in *MRR.* He may be identical with the man in the Consilium, and perhaps with the grandfather of the consul of 71, Cn. Aufidius Cn. f. – n. Orestes.

• T. Aufidius (Ofidius) M. f., *POB.* S.C. 175–160, no. 2.

The nomen Ofidius (Ὠφίδιος on the stone) is rare; it occurs only once in *CIL* 6 and not at all in volumes 5, 9, 10, 11, 14.

The name (not in *RE*) is probably Aufidius, as is suggested in *MRR*, where it is listed under Ofidius. The division of the senatorial Aufidii into two tribes indicates that they belonged to two families, not one, as Syme, *MSen*, suggests. The praenomen Titus seems to have been used in both families, combined with Gnaeus in the branch that used the cognomen Orestes, and with Marcus in the other branch (Rustici?). See *MRR*, Index. The tr. pl. of 61, M. Lerco, may belong to the Alfidii. See above. The tribe appears on the stone as Ποπιλίας..

AURELIA

• M. AURELIUS M. f., *VOL.* Consilium 89, no. 13.

Tr. mil.? The praenomen Marcus is used by the two consular families, the Aurelii Cottae and Scauri. M. Aurelius Cotta, cos. 74 (*RE* 107), if he was older than his brother C. Aurelius Cotta, cos. 75 (*RE* 96), was rather old for a man in this position in the list. (See Cichorius' arguments, *RS* 149.) But we cannot be sure that the fact that he had his father's praenomen means that he was the elder son. The oldest son Marcus may have died and a younger son may then have been given the praenomen. Moreover, it is also possible that the beginning of his career was delayed, as his consulship may have been. Among the Aurelii Scauri, besides the cos. suff. of 108, two other Marci are known (wrongly interpreted as one man, *RE* 216), a tr. mon., formerly dated ca. 92 but now usually placed not long after 118 (Sydenham, no. 523, with Mattingly's note, p. 222; Pink, no. 32), and a quaestor in Asia shortly before 70. It is impossible to identify the man in the Consilium with either one. If the new dating of the tr. mon. is correct, I am inclined to identify this M. Aurelius in the Voltinia with M. Aurelius Cotta, consul 74.

AXIA

• Q. AXIUS M. f., *QUI.* (4). Consilium 73, no. 10.

Quaestorius in 73. A tribulis of M. Terentius Varro; see under his name. Like Varro, a native of Reate, where Cicero was his guest in 54 (*Att.* 4. 15. 5). The rare nomen Axius, attested in senatorial names of the republic only for a tr. mon. of the same general period (Sydenham, no. 794, L. Axius L. f. Naso), is not found in the inscriptions of *CIL* 9 from the Sabine region in the Quirina.

— BALBUS

— —] L. f. BALBUS, *OUF.* S.C. 35, no. 4.

Praetorius? The name on the stone is]υκίου υἱὸς Ὠφεντείνα Βάλβο[ς. Viereck, followed by Cichorius (*RS* 145), identifies him as an Atius Balbus, and Cichorius notes P. Attius P. f. in the Oufentina. But see M. Atius Balbus above. Syme (*MSen* 56 f.) notes that Atius Balbus' name is spelled with one T, and that Balbus is a very common cognomen. Another argument against the identification is that there seems to be no other case of a senator in a tribe different from that of the native town with which he maintained relations. Syme suggests that this Balbus may be a Lucilius or an Octavius Balbus, or that he may be identical with the suffect consul of 30, L. Saenius L. f. Balbinus. I have listed Saenius below with a query. See also Syme's citation, *ibid.* 65 f., of a Paccius of Tarracina, which was in the Oufentina, and of a Paccius Balbus.

CAECILIA

• Q. CAECILIUS Q. f., *ANI.* (94). Consilium 129, no. 1.

His position in the list makes practically certain his identification with the consul of 143, Q. Caecilius Q. f. L. n. Metellus Macedonicus. Another tribe for the Caecilii Metelli is found in the next name.

• Q. CAECILIUS Q. f. Q. n. METELLUS PIUS SCIPIO = P. CORNELIUS SCIPIO NASICA, *FAB.* (Caecilius 99). S.C. 51, no. 2.

Cos. 52. Adopted by the will of Q. Caecilius Metellus Pius who died 64–63. It is uncertain whether his tribe belongs to the Scipiones Nasicae or to the Caecilii Metelli. See Chap. 15.

A son of the Pompeian business man of servile stock, L. Caecilius Iucundus, took the cognomen Metellus. See *CIL* 4. 5788, Caecilio Iucundo Sexsto Metello (with Mau's comment). Cf. M. L. Gordon, *JRS* 20 (1930) 179 f.

CAECINA

• —] CAECINA, from Volaterrae, hence *SAB.* (4).

Legatus 41; see *MRR* 2. 375 f. Like another member of this family, who was not a senator (Cic. *Caec.* 18), he came from Vola-

terrae (Cic. *Att.* 16. 8. 2), where the Caecinae, known from their tomb and from various inscriptions, were apparently the chief family. L. Caecina L. f., a pr. of the late rep. or the early emp., was a quattuorvir i. d. of another Etruscan town, Volsinii (*CIL* 1^2. 2515), which was in the Pomptina. His tribe is not given in the inscription.

CAELIA

• C. COELIUS (Caelius) C. f., *AEM.* Consilium 129, no. 10.

Praetorius. The new dating of the Consilium disposes effectively of the suggestion that he is to be identified with the *novus homo* C. Coelius Caldus, cos. 94, or with his family. Cichorius may be right (*UL* 5 f.) in holding that he belongs to the family of the historian L. Caelius Antipater, though the new dating of the Consilium makes impossible Cichorius' suggestion that he is the officer C. Antipater (*RE*, Coelius 6) slain in 82 while serving under C. Norbanus. He may be the father of this Antipater.

A Coelius Caldus, who was probably in Pompeii's tribe, the Menenia, is known from a Pompeian election notice (*CIL* 4. 456): Coelius Caldus rogat. Coelii (Caelii) Caldi in the list of magistrates include the consul of 94, a *novus homo* whose career dates before the enfranchisement of Pompeii, and two *monetales*, dated by Sydenham (nos. 582, 891–94) ca. 106–97 and ca. 62. M. Della Corte, *Case ed abitanti di Pompeii* [2] (Pompeii 1954) 190 f., notes parallels between the representations on the coins and paintings in the house of Coelius Caldus, and concludes that the Pompeian branch of the family probably settled there with the Sullan colonists. The conclusion is doubtful. See Chap. 15, with n. 24.

• Q. CAELIUS LATINIENSIS, from Tusculum, hence *PAP.* (Coelius 20).

Tr. pl. before 66. Probably identical with the aedilis of Tusculum, Q. Coelius Q. f. Latin., *CIL* 1^2. 1441 (without tribe). See next name.

• M. CAELIUS RUFUS, from Interamnia Praetuttiorum, hence *VEL.* (35).

Pr. 48. On Caelius' native town, see R. G. Austin's second edition of Cicero's *Pro Caelio* (Oxford 1952), Appendix II, where the reading *Prae(s)tutiani* in place of the corrupt *praetoriani* in *Cael.* 5 is convincingly defended. The reading comes from the marginalia in cod. Paris. Lat. 14749, the value of which was demonstrated by A. C. Clark. See his Oxford text (1905) with

bibliography cited by him and by Austin (pp. xviii f.). The only municipality in the territory of the Praetuttii was Interamnia Praetuttiorum, and that was undoubtedly the town whose municipes honored their fellow-citizen Caelius. The view of Münzer in *RE* and of Syme (*PBSR* 1 [1938] 6, n. 19) that Caelius was a native of Tusculum is based on Caelii in the inscriptions of Tusculum (see previous name) and on the fact that C. Caelius Rufus, cos. 17 A.D., was an aedile of Tusculum. The municipes of depopulated Tusculum, almost entirely a suburban community (cf. Cic. *Planc.* 19–23), would hardly have taken as much interest in a fellow municeps as Caelius' municipes took in him. This evidence for Caelius' origin is of special interest because of his break with Pompey, who had extensive property in Picenum adjoining the Praetuttii and was regarded as a patron of men of Picene origin.

CAERELLIA

• Q. CAERELLIUS M. f., *QUI.* (2; *PIR*² C 155). *CIL* 6. 1364 (*ILS* 943).

Legatus of M. Antonius; praetor. The first man of this name known in the senate; his son was a senator under Augustus. Sabine origin for the family may be indicated by the name of C. Caerellius Sabinus, a legate of the late second century A.D. (*PIR*² C 161), who was, however, in a different tribe, the Oufentina.

CALPURNIA

• L. CALPURNIUS L. f. L. n. PISO, *MEN.* (90). S.C. 44, no. 1.

Cos. 58. It has frequently been argued that the villa near Herculaneum, where the Epicurean library of Piso's protégé Philodemus was found, belonged to Piso (see H. Bloch, *AJA* 44 [1940] 485–93), but no one, as far as I know, has noticed that Piso's tribe was the Menenia, in which Herculaneum was placed after the Social War. See Chap. 16.

CALVISIA

C. CALVISIUS C. f. SABINUS, from Forum Novum? *CLU.*? (13) (*PIR*² C 352).

Cos. 39. There is no evidence except his cognomen for his Sabine origin. He is, Syme notes (*RR* 199, n. 5), the first Roman

consul with a gens name ending in *-isius*, obviously non-Latin. The rare nomen occurs at Forum Novum in Sabine territory, a town in the Clustumina. Calvisius (see Syme, *RR* 221, n. 1) or his son (see M. W. H. Lewis, *The Official Priests of Rome under the Julio-Claudians*, *PAAR* 16 [1955] 58) was a patron of Spoletium in Umbria (*ILS* 925), not far from Forum Novum.

CANINIA

L. CANINII GALLI, *POL.* ?? (3,4).

The tr. pl. of 56, a henchman of Pompey, and the cos. of 37, father and son, the latter father of the cos. suff. of 2 B.C. The cognomen (see Chap. 12, n. 33 a) may denote origin from a town in the Pollia, but the nomen is not recorded in *CIL* from towns in that tribe. L. Caninii are found in neighboring towns, Sena Gallica, whose tribe is unknown, and Placentia, which was in the Voturia (11. 6213, 1237).

• C. CANINIUS C. f. C. n. REBILUS, *TER.* (9) S.C. 44, no. 3.

Cos. suff. 45. C. Caninius Rebilus was pr. in 171, and M. Caninius Rebilus was legatus in 170 and 167, but no other members of the house are known until this man, who was legatus of Caesar in Gaul. There is a C. Caninius C. l. in an inscription of Interamna Lirenas, a former Latin colony, enrolled in the Teretina (*CIL* 10. 5352).

CARRINAS

C. CARRINAS C. f., *QUI.* (or *COL.*?) (2, *PIR*² C 447). S.C. 39, no. 1.

Cos. suff. 43, son of the Marian praetor of 82. Of the tribe, only the letters ×o remain; the space indicated by Cousin, *BCH* 11 (1887) 226 f., makes unlikely the restoration Cornelia, and the Quirina is more probable than the Collina. The name is apparently Etruscan (Schulze, *LE* 146, 530).

CARVILIA

• SP. CARVILIUS L. f., *SAB.* Consilium 129, no. 23.

He has the most common praenomen of the third-century consular family. A tr. pl. of 212 has the father's praenomen Lucius. Except for a Sp. Carvilius who was legatus in 171, the man in the Consilium is the only Carvilius later than the third century who is known in the republican senate.

CASCELLIA

• A. CASCELLIUS A. f., *ROM.* (4). Consilium 73, no. 12.
Quaestorius 73?; probably to be identified with the famous jurist. He is the only man of this name in the republican senate. On the name, see Schulze, *LE* 353. For an imperial Cascellius from the Marsi in the Sergia, see *PIR*² C 457.

CASSIA

• M. CASSIUS M. f., *POM.* (18). Consilium 73, no. 3.
Praetorius. The major family of the Cassii, the Longini, did not, as far as we know, use the praenomen Marcus. No other M. Cassius is known in the senate of the republic.

• C. CASSIUS PARMENSIS, from Parma, hence *POL.* (80).
Quaestor 43. One of Caesar's assassins, perhaps brought into the senate by him from the citizen colony Parma, founded 183.

CATIA

? C. CATIUS VESTINUS, from the Vestini, *QUI.* (13).
Tr. mil. 43. Perhaps of equestrian, not senatorial, rank.

CESTIA

• C. CESTIUS L. f. EPULO, *POB.* (7; cf. 3). *CIL* 6. 1374 (*ILS* 917).
Pr. late rep. or early emp., known from his inscription on the famous pyramid. An L. Cestius was perhaps praetor in 43. See *MRR.*

CLAUDIA

CLAUDII, *CLA.* Livy 2. 16. 4–5.
In the early republic members of this gens were registered in the tribe that bore their name. See Chap. 4, with n. 1.

• —] CLAUDIUS AP. f., *PAL.* (*PIR*² C 983). S.C. 25 c, no. 2.
The name in the inscription is Ἀπ]πίου υἱὸς Παλα[τίνᾳ]. The praenomen makes certain his identification as a patrician

member of the Claudii Pulchri. Groag (in *PIR*) would identify him with Appius minor, son of C. Claudius Pulcher, adopted by his uncle Appius Claudius Pulcher, cos. 54. His tribe is that of his uncle P. Clodius Pulcher. See below.

• L. CLAUDIUS L. f., *LEM.* (23). Consilium 73, no. 16.

The last name in the list. The praenomen Lucius, which this man and his father had, was avoided by the patrician Claudii (cf. Suet. *Tib.* 1) and apparently also by the plebeian branches of the house. There are only two other L. Claudii in the republican list of magistrates, a praetor of 174 (omitted in the Index of Careers, *MRR*, but not in the text), and the rex sacrorum of 57, named by Cicero (*Har. resp.* 12) in his list of members of the pontifical college. (The praenomen of L. Claudius Pulcher of Val. Max. 8. 1. 6, apparently erased in one of the most important mss., is a mistake, perhaps for C. or P.) The omission of the cognomen of the rex sacrorum and of the man in the Consilium in lists where cognomina are used for the majority of names, leads me to believe that the rex sacrorum is the son of the man in the Consilium who, I would suggest, was the predecessor of the son as rex sacrorum. As I have tried to show (*AJP* 63 [1942] 385–412), the rex sacrorum in Cicero's list became a member of the college ca. 62–60; he succeeded another rex sacrorum whose name has fallen out of the text of Macrobius 3. 13. 11; the earlier rex entered on his office between 74 and 69, probably toward the beginning of that interval. There was difficulty in filling the office of rex and flamen, since the priests had to be patricians whose parents were married by *confarreatio*, and the difficulty was sometimes solved by keeping the succession in the same family. See Tacitus, *Ann.* 4. 16 for the flamen Dialis and Livy 40. 42. 8–10 for an abortive effort to have a rex succeeded by a member of his own family. Perhaps we have in the L. Claudii of the late republic an obscure branch of the patrician Claudii, who used a praenomen generally avoided in the gens and were also marked out by the lack of a cognomen—a branch whose members were available for a priesthood that removed them from active political life. The priesthood of the rex presumably admitted its holder to the senate, and perhaps L. Claudius had just been inaugurated in 73. That would explain his appearance at the end of the list in the Consilium. See L. Manlius Severus below.

• Q. CLAUDIUS AP. f., *POL.* (30). Consilium 129, no. 21.

The praenomen Quintus is unknown among the patrician Claudii Pulchri, but the praenomen of his father makes certain

his assignment to that family. Son of the consul of 143, possibly brother of the consul suff. of 130. The tribe Πολλία, known only from Version A of the Consilium, may be a mistaken expansion of the abbreviation *Pal.*, the tribe attested for other Claudii Pulchri.

• TI. CLAUDIUS TI. f., *CLU.* S.C. ca. 164, no. 2.

The praenomen Ti. is employed only by the patrician Claudii Nerones and the plebeian Aselli. The former (see below) were in the Arnensis. I therefore differ from Münzer (*RE* no. 250) and assign this man not to the Nerones, but to the Aselli, a family which supplied a praetor in 206 and a tr. pl. in 140. The tribe, not given with the name of the other two witnesses in the S.C., was apparently used to distinguish him from the better known Nerones.

• C. CLAUDIUS C. f. GLABER, *ARN.* (165). Consilium 73, no. 2.

Usually identified with the praetor of 73, Clodius Glaber of unknown praenomen, but see my argument, Chap. 12, n. 22, that he is an elder praetorius, perhaps father or elder brother of the pr. This otherwise unknown branch of the Claudii was probably plebeian.

• M. CLAUDIUS M. f. MARCELLUS, *ARN.* (226, cf. 227). Consilium 73, no. 1.

Praetorius. Either the legatus of 102?, 90 or the curule aedile of 91. Member of the most important plebeian house of the Claudii.

For an M. Clodius M. f. Marcellus *Ouf.*, see *CIL* 6. 15750.

• C. CLAUDIUS TI. f. NERO, *ARN.* (246). Livy 29. 37. 10.

Cos. 207, cens. 204. Livy is describing the penalties inflicted on each other by the two censors (see M. Livius Salinator below): item M. Livius, cum ad tribum Arniensem et nomen conlegae ventum est, vendere equum C. Claudium iussit . . .

• TI. CLAUDIUS DRUSI f. CAESAR AUG. GERMANICUS, *QUI.* (256; *PIR*^{2} C 942).

Numerous Tiberii Claudii who were granted citizenship in the Quirina led Kubitschek (*Orig* 118–22) to the view that the tribe of the emperor was the Quirina. This view was accepted by Mommsen, *RSt* 3. 788, n. 5, who suggests that Regillum, reputed place of origin of the Sabine Attius Clausus, founder of the Claudii, may have been thought to be in the region of the Quirina tribe. It is to be noted that C. Claudius Nero, cos. 207,

perhaps in a collateral line of the emperor's family, was in the Arnensis, a tribe in which other branches of the Claudii were registered. I suggest that the emperor Claudius himself, in order to emphasize the Sabine origin of his house, changed his tribe from the Arnensis to the Quirina. The change may belong to his censorship of 47–48 A.D. See Chap. 15. Colonies of Claudius and Nero are either in the Quirina or in the Claudia. See Appendix.

• P. CLODIUS (Claudius) AP. f. PULCHER, *PAL.* (Clodius 48). Cic. *Dom.* 49; *Sest.* 114.

Tr. pl. 58. Cicero's statements on his tribe are: (*Dom.* 49) *amici illi tui . . . ita repellebantur ut etiam Palatinam tuam perderent*; (*Sest.* 114) *tribum suam non tulit. Palatinam denique . . . . perdidit.* The Palatina was the tribe of Clodius' nephew, Claudius Ap. f. above. Clodius seems to have remained in his own tribe in spite of his adoption by P. Fonteius in 59 (Cic. *Dom.* 35, 77, 116; *Har. resp.* 57). He did not use the name Fonteius and he continued to identify himself with the Claudii Pulchri.

Another Claudius in the Palatina is C. Claudius C. f. Pal. of Cic. *Verr.* II. 2. 107, a creature of Verres, in Cicero's view evidently an insignificant man.

C. CLODIUS C. f. VESTALIS, from Forum Clodi? *ARN.*? (*PIR*² C 1192).

Tr. mon. ca. 39 (Sydenham, no. 1134), later procos. See the inscriptions of Forum Clodi, *CIL* 11, 3310 a (*ILS* 904), 3311 (with addit. p. 1332). The former is a dedication to their patron Vestalis by the Claudienses of the praefectura Claudia. Forum Clodi was probably in the Arnensis (see Chap. 5, n. 6). But since both the tribe of Forum Clodi and the origin of Vestalis are uncertain, the name is included with serious doubts.

CLOELIA

• Q. CLOELIUS M. f., *QUI.* (*PIR*² C 1196). S.C. 39, no. 5.

Perhaps aedilicius. He has the praenomen of fifth and fourth century patricians of this name, but the family seems to have died out. The name is not found in the region of the Quirina in *CIL* 9.

COCCEIA

M. COCCEIUS NERVA, from Narnia?, PAP.? (*PIR*² C 1224).

Cos. 36. See next name.

• M. Cocceius Nerva = Imp. Nerva Caesar Aug., *PAP.* (*PIR*² C 1227).

The tribe of Nerva and his immediate successors was the Papiria (see *ILS* 7190; cf. Mommsen, *Gesam. Schr.* 8. 321 f.), and that was the tribe of Nerva's native town Narnia (Chap. 8, n. 25), and presumably the tribe of M. Cocceius Nerva, cos. 36 B.C., who was probably the emperor's grandfather, and also of L. Cocceius Balbus, cos. suff. 39 B.C. See Groag and Stein, *PIR*² C 1223-27 and, for the nomen of the cos. suff. of 39, *MRR.*

Coelia, see Caelia

Coponia

• L. Coponius L. f., *COL.* (4). S. C. ca. 134, no. 1.

The name is known in the senate from a Q. Coponius who was legate before 150, and a C. Coponius who was praetor in 49.

Cordia

• M'. Cordius Rufus, from Tusculum, *PAP.* (2).

Tr. mon. 46 (Sydenham, no. 976; see Pink, no 80). The jugate heads of the Dioscuri on his coins indicate his Tusculan origin. As Syme notes, *MSen* 69, the origin is confirmed by *CIL* 1². 782 (*ILS* 902).

Cornelia

Cornelii, *COR.*?

In the early republic members of this gens were presumably enrolled in the tribe that bore their name.

• Cn. Cornelius Cn. f., *PAL.* Consilium 89, no. 11.

Tr. mil.? Very likely a patrician, since patrician Aemilii and Claudii were in this tribe. The praenomen Gnaeus was used by the patrician Blasiones, Dolabellae, Lentuli, and Scipiones, though no Gnaeus is known among the Scipiones in this period. Cichorius, *RS* 147 f., suggests that he is Cn. Cornelius Dolabella, pr. 81; he might also be an otherwise unknown son of Cn. Cornelius Lentulus, cos. 97. Special reason for the identification is given under L. Cornelius Lentulus Crus below.

• C. Cornelius M. f., *STE.* (17). Consilium 129, no. 4.
• L. Cornelius M. f., *ROM.* (30). Consilium 129, no. 30.

Among the patrician Cornelii the combination of praenomina in these two names is used only by the Cethegi. One of them, but not, I think, both, since they are in different tribes, was probably a son of M. Cornelius Cethegus, cos. 160. Of the two, C. Cornelius in the Stellatina, obviously a praetorius, is, because of his age and rank, more likely to be Cethegus' son. The identification was suggested by Willems and, as Passerini notes, is more probable now that the document has been dated in 129. L. Cornelius in the Romilia may be a plebeian Cornelius, possibly a Sisenna, for whom the praenomina L., Cn., and P. are attested, but not M. or C. For another Cornelius in the Stellatina, see *CIL* 6. 16120, Q. Cornelius Q. f. Ste.

• L. Cornelius L. f. Balbus, *CLU.* (69). Cic. *Balb.* 57.

Cos. suff. 40. Balbus was a Gaditane who was granted citizenship in 72. Since his father's praenomen is given in the *fasti sacerdotum* (*ILS* 9338), the father was presumably given citizenship with the son. Because of a successful prosecution he was later transferred to the Clustumina tribe, presumably the tribe of the man he accused. See Chap. 2, with n. 15; Chap. 15. In the *Pro Balbo* delivered in 56, Cicero says (57): obiectum est etiam quod in tribum Clustuminam pervenerit; quod hic adsecutus est legis de ambitu praemio. Cicero goes on to note the adoption of Balbus by Theophanes of Mytilene (Cn. Pompeius Theophanes). This adoption, also mentioned by Cicero, *Att.* 7. 7. 6, seems to have had no effect on Balbus' name or his tribe, though the tribe of Theophanes was probably also the Clustumina, the tribe of Pompey. A change of tribe was usually to a more desirable tribe, and that suggests that Balbus was originally in an urban tribe. See L. Cornelius Lentulus Crus, below. Balbus is the only man in this list of senators for whom there is specific evidence for change of tribe, and the change took place some years before he was a member of the senate.

L. Cornelii Cinnae with praenomen and cognomen of a consular branch of the patrician Cornelii are found at Venusia, where one of them is listed in the Horatia, the tribe of the town (*CIL* 9. 477), and at Corduba and Carthago Nova in Spain, where men of this name served as duumviri and were listed in the common tribe of the two towns, the Galeria (*CIL* 2. 5525, 3425). There is no reason to believe that these inscriptions give us the tribe or tribes of the Cornelii Cinnae. See Groag, *PIR*² under C 1339.

L. CORNELIUS P. f. LENTULUS CRUS, *PAL.*? (218).

Cos. 49. It was apparently from him that L. Cornelius Balbus took his nomen in 72 and presumably the tribe in which he was registered before he changed to the Clustumina. The original tribe was probably an urban tribe, the Palatina, the tribe of Cn. Cornelius Cn. f. above.

L. Cornelius P. f. Pol. Lentulus of *CIL* 6. 16251, though he and his father have praenomina often used in the noble Cornelii Lentuli of the republic, does not provide evidence for the tribe of the family. The man's poverty is indicated by the fact that his burial lot was only four feet square. See Chap. 15, n. 24 for a Cornelius Lentulus in Spain.

P. CORNELIUS SCIPIO NASICA = Q. CAECILIUS METELLUS PIUS SCIPIO, *FAB.* S.C. 51, no. 2.

See Caecilius above.

CORNIFICIA

• Q. CORNIFICIUS, from Lanuvium, hence *MAE.* (8).

Pr. 45? On his origin from Lanuvium, see the coins struck while he was governor of Africa, 44–42, Sydenham, no. 1352. On the obverse, Cornificius is crowned by Juna Sospita. See Syme, *MSen* 60 f. His tribe gives the tribe of Rhegium in Calabria, whose people are referred to by Cicero in a letter to Cornificius (*Fam.* 12. 25. 3) as *tribulis tuos.*

CORUNCANIA

• TI. CORUNCANIUS TI. f. TI. n., from Tusculum, hence *PAP.* (3).

Cos. 280. Cicero (*Planc.* 20) says he was from Tusculum; Tacitus (*Ann.* 11. 24) says that the Coruncanii were natives of Cameria. Münzer, s. v. *RE*, suggests that the family was believed to have settled in Tusculum after the destruction of Cameria.

COSCONIA

• M. COSCONIUS M. f., *TER.* (9, cf. 8). Consilium 129, no. 12.

Probably the praetor of 135 (Livy, *Per.* 56; *IGRRP* 4.134). The filiation is different in the inscription of M. Cosconius C. f. from Erythrae (*IGRRP* 4. 1537), and I would assume either that the inscription concerns another member of the same family,

or that here, as elsewhere, there is a mistake in the record of the Consilium. M. Cosconius was probably a native of Minturnae, citizen colony in the Teretina. The name M. Cosconius occurs twice, with two Cosconiae, in an inscription from the colony (*CIL* 10. 6032), and in the records of republican magistri there is a C. Cosconius listed as master of one of the slaves (*CIL* 1^2. 2689).

COSSINIA

? L. COSSINIUS, *LEM.* Cf. Cic. *Fam.* 13. 23. 1.

Cicero, writing to Servius Sulpicius Rufus, who was in the Lemonia, speaks of an L. Cossinius as *amicus et tribulis tuus.* This Cossinius may not have been in the senate, but an L. Cossinius was apparently praetor in 73. See Münzer s. v. *RE* 2 and *MRR.* He may have been identical with the L. Cossinius of Tibur who acquired citizenship, apparently before Tibur was enrolled in the Camilia after the Social War. See Cic. *Balb.* 53–54.

CURIA

M'. CURIUS M'. f. M'. n. DENTATUS, from Nomentum?, *COR.*? (9).

Cos. 290, 275, 274. He is mentioned with Coruncanius, the elder Cato, Marius, and Cicero himself (Cic. *Sulla* 23) as a man of municipal origin. The *Fasti* list him as son and grandson of a citizen, and that must mean that he belonged to one of the peoples enfranchised after the Latin War (cf. Beloch, *RG* 484), perhaps, I suggest, to the Nomentani. The scholiast on Cicero, *Sulla* 23 (*Schol. Bob.* 80 St.) says of him *Sabinis oriundus videtur*, and the Nomentani are attested as a Sabine people. See Vergil, *Aen.* 7. 712; Strabo 5. 228; Pliny, *N.H.* 3. 107 where the Nomentani are mentioned among the Sabine peoples of Regio IV. The tribe of Nomentum was perhaps the Cornelia. See Chap. 4, with n. 27. On Curius, see Chap. 5, with n. 63, 64.

CURTIA

C. CURTIUS, *SAB.*? (6). Cf. Cic. *Fam.* 13. 5.

He suffered in the Sullan confiscations and was brought into the senate by Caesar (*eum Caesar in senatum legit*). Although not a native of the town, he was presumably registered in the

tribe of Volaterrae, the Sabatina; cf. Cicero's statement: is habet in Volaterrano possessionem, cum in eam tamquam e naufragio reliquias contulisset. Not in *MRR*. See Syme, *MSen* 61.

? Q. CURTIUS SALASSUS, from Canusium?, *OUF.* ? (32).

Prefect under Antony, 41; probably not a senator, though Q. Curtius, iudex quaestionis of 71, was. His brother (*RE* 10) or the brother's son is perhaps to be identified with the quattuorvir of Canusium, P. Curtius P. f. Salassus (*CIL* 9. 326–27). The inscriptions may indicate the origin of the family.

CUSINIA

• M. CUSINIUS M. f., *VEL.* (2, cf. 1; *PIR*² C 1626). *CIL* 14. 2604 (*ILS* 965).

The sepulchral inscription from the territory of Tusculum reads: M. Cusinius M. f. Vel. aed. pl. aerario praef. pr. M. Cusinius . . . f. Vel. pater, Fictoria C. f. mater, Cusinia M. f. soror. The absence of cognomen indicates a date not later than the early empire. The *aerarium* was under the charge of quaestors in the republic and was assigned to praetors or ex-praetors in the empire. For ex-praetors in 28 B.C., see Dio 53. 2. 1. As Broughton has suggested to me, this man may be one of the city prefects of 45 who functioned instead of magistrates until Caesar's return from Spain. Two of them (Dio 43. 48) were in charge of the treasury. See *MRR* 2, p. 313, where Cusinius' name is not listed. If the identification of Cusinius as a city prefect in 45 in charge of the *aerarium* is correct, he is presumably identical with M. Cusinius, pr. 44 (Cic. *Phil.* 3. 26; cf. *RE* 1). On the difficulties presented by the inscription, now solved by Broughton's suggestion, see Dessau's note and Mommsen, *RSt.* 2³. 558, n. 1. See Addenda.

DIDIA

• C. DIDIUS C. f., *QUI.* Consilium 129, no. 20.

Didii with other praenomina are found in the senate in the second century, and T. Didius T. f. Sex. n. was consul in 98. The only C. Didius known is a legatus of 46–45. Names in *-idius, -edius, -iedius* are particularly common in the Sabine and central Apennine region (cf. Schulten, *Klio* 2 [1902] 167–93; 440–65; 3 [1903] 235–67), and this man was probably a native of Reate or Amiternum or Nursia in the Quirina.

DOMITIA

• L. DOMITIUS CN. f. CN. n. AHENOBARBUS, *FAB.* (27). S.C. 51, no. 1.

Cos. 54. A member of this important consular family, L. Domitius Cn. f., to be identified as son of the consul of 162 and younger brother of the consul of 122, is in the Consilium of 129, n. 33. His tribe, erroneously reported as *Pup.* in *MRR* 2, p. 560, is not preserved.

EGNATIA

• Cn. EGNATIUS C. f., *STE.* S.C. 175–60, no. 1.

This is the only Egnatius known in the senate until the the first century, when various C. and Cn. Egnatii are attested. See Syme, *MSen* 61, for an additional Cn. Egnatius Cn. f., a senator of 74, mistakenly identified by Münzer and Broughton with a C. Egnatius. The name, whose Etruscan connections are emphasized by Schulze, *LE* 188, n. 1 (it is even commoner in Umbria and Central Italy, see Syme), is found four times at Falerii and twice at Caere, though not with the praenomen Cn. Capena, adjoining Falerii, was in the Stellatina, and this Egnatius may have come from there. No other senator from Capena is known.

EPPIA

• M. EPPIUS M. f., *TER.* (2). S.C. 51, no. 8.

Quaestorius. As Münzer pointed out (*Röm. Mitt.* 50 [1935] 324), he is from Minturnae, which was in the Teretina. Cicero, in a letter to Atticus, written from Formiae in 49 (8. 11B. 1), says of M. Eppius: nemo enim nostri ordinis in his locis est praeter M. Eppium quem ego Menturnis esse volui. Slaves and freedmen of Eppii are recorded among republican magistri at Minturnae. See *CIL* 1^2. 2678, 2684, 2690, 2694. This Eppius is the only known republican senator of the name.

ERUCIA

• L. ERUCIUS L. f., *STE.* (3). S.C. 44, no. 9.

Quaestorius? For another possible Erucius in the senate, see *MRR* 2. p. 55. The rare name is not recorded in any town in the Stellatina.

FABERIA

• L. FABERIUS L. f., *SER.* (2). S.C. 78, no. 1.
The only known republican senator of this name. On its Etruscan connections, see Schulze, *LE* 161.

FABIA

FABII, originally *FAB.*?
In the early republic members of this gens were presumably registered in the tribe that bore their name.

• C. FABIUS HADRIANUS, from Hatria, hence *MAE.* (82).
Pr. 84. He must have acquired citizenship, perhaps as a magistrate of the Latin colony of Hatria, before the town was enfranchised, but (see Chap. 8, with notes 18–25) the tribe of Hatria may have been established earlier for the magistrates.

• M. FABIUS HADRIANUS, from Hatria, hence *MAE.* (83).
Legatus 72–68 or 67.

Q. FABIUS Q. f. Q. n. MAXIMUS, *FAL.*? or *PUP.*? (116).
Cos. 233, 228, 214, 209; cos. suff. 215. The farm that he is reported to have sold to pay for the redemption of captives from Hannibal is assigned to the Pupinia only by Valerius Maximus (4. 8. 1), who says that it was his only farm and was seven iugera in extent. The limitation of Fabius' estate to seven iugera in the proverbially unfruitful Pupinia may be derived from the legends of the Atilii (see above) whose association with the Pupinia is better attested. Another story, for which the evidence is more abundant but confused (see De Sanctis, *StR* 3. 2. 51, n. 81; 191) makes Fabius the holder of land in Campania (Zonar. 8. 26 τὰ ἐν Καμπανίᾳ χωρία αὐτοῦ) obviously in the ager Falernus; Hannibal, to bring Fabius into disrepute, is said to have spared this land in his ravages of the territory in 217. See Livy 22. 23. 4; Plut. *Fab.* 7; Sil. Ital. 7. 260–67; Val. Max. 7. 3. ext. 8; Frontin. *Strat.* 1. 8. 2; Zonar. 8. 26. Cf. Münzer, *RE*, col. 1821; *RA* 51. The evidence for Fabius' tribe is uncertain but the Falerna, which was distributed when his grandfather Q. Fabius Rullianus was a consularis, is more probable than the Pupinia, mentioned only by Valerius Maximus. As Münzer has noted (*RA* 56), a M. Fabius was one of the triumviri coloniae deducendae in 333 for the Latin colony Cales in territory adjoining the ager Falernus.

FADIA

T. FADIUS GALLUS, *POL.* ? or *LEM*? (9).

Tr. pl. 57; a supporter of Cicero whom Caesar failed to pardon after the civil war. On the cognomen Gallus, see Chap. 12, n. 33 a. The rare nomen occurs with the praenomen Quintus at Forum Semproni in the Pollia (*CIL* 11. 6131). But a better indication of origin may be provided by T. Fadius in an inscription of Bononia which was in the Lemonia (11. 757). Note also T. Fadius Lem. (11. 5936) from Tifernum Tiberinum in Umbria.

FALERIA

• M. FALERIUS M. f., *CLA.* Consilium 129, no. 17.

Praetorius? The only known republican senator of this name. The family may have come originally from Falerii (enfranchised in the Horatia), but perhaps in the distant past. On gens and place names, see Schulze, *LE* 564 ff.

FAVONIA

M. FAVONIUS, from Tarracina?, *OUF.*? (1).

Pr. 49, perhaps identical with the legatus of *CIL* 10. 6316 (*ILS* 879); there are other Favonii in the inscriptions of Tarracina. See Syme, *MusHelv* 15 (1958) 53.

FIDUSTIA

M. FIDUSTIUS, from Nepet?, *STE.*? (1).

Senator proscribed by Sulla and again by Antony. Not in *MRR.* See Syme, *MSen* 61 f., who notes that outside Rome the name is known in Italy only at Nepet. The tribe of the Latin colony Nepet was almost certainly the Stellatina. See Bormann, *CIL* 11, p. 481. On the tribes of Latin colonies, see above under C. Fabius Hadrianus.

L. Fidustius M. f. Vol. is recorded in *CIL* 1^2. 1305, from Rome.

FILIA

L. FILIUS L. f., *HOR.* (or *SAB*) (1). Consilium 129, no. 19.

The tribe of B, *Hor.*, is to be preferred to the *Sab.* of A, since the latter may be a mistake in copying from no. 23. The

name (perhaps Philius) is rare and otherwise unknown in the republican senate.

FLAVIA

• —] FLAVIUS L. f., *LEM.* (cf. 17). S.C. 44, no. 6.
Praetorius? Perhaps, as Münzer and Broughton (*MRR* 2, p. 491) suggest, identical with L. Flavius, pr. 58.

M. FLAVIUS, *POL.*? (19). Cf. Livy 8.37.8–12; Val. Max. 9.10.1.
Tr. pl. 327, 323. He is reported to have proposed a bill in 323 providing for severe punishment of the Tusculani because they had incited the Privernates and the Veliterni to make war on Rome; except for the Pollia all tribes voted against the bill, and after that time the Papiria, Tusculum's tribe, was rarely carried by a candidate belonging to the Pollia. The story has been interpreted as an invention to explain a quarrel between neighbors, and the Pollia has accordingly been located next to the Papiria. See Chap. 4 with n. 16 for my arguments against that location of the Pollia. The tradition is usually regarded as inaccurate, for while there was a war with Privernum in 329, there had been no trouble with Velitrae since 338. But it may be accurate. The bill, as Mommsen recognized (*Strafrecht* 74, n. 4), was an attack on the citizenship of the Tusculani. There was special reason for the attack in 323, for the Tusculanus L. Fulvius Curvus, cos. 322, was on his way to high office. The tribune seems to have gone back to events of 341–40 to seek means of discrediting the Tusculani. See Chap. 16, with notes 12–14. I suggest that the reason for the subsequent opposition of the Papiria to candidates in the Pollia was that the latter was the tribe of the tribune Flavius.

FONTEIA

• M. FONTEIUS (12)
and the
• FONTEII from Tusculum, *PAP.* Cic. *Font.* 41.
M. Fonteius was praetor ca. 75. The origin of the Fonteii from Tusculum is confirmed by the next two names.

• M'. FONTEIUS, from Tusculum, *PAP.* (8).
Tr. mon., dated by Sydenham, no. 566, ca. 103. The jugate heads of the Dioscuri on the obverse of his denarii indicate his Tusculan origin.

• —] FONTEIUS Q. f., *PAP.* (1). S.C. 161, no. 1.
The restoration of the nomen [Φο]ντήιος on the stone is certain.

P. FONTEIUS (Capito?) CLODIANUS = P. CLODIUS AP. f. PULCHER, *PAL.*
Clodius, adopted by P. Fonteius (Capito?), never used the new name. See P. Clodius Pulcher above.

FRUTICIA

M. FRUTICIUS M. f., from Verona? *POB.*? (1, *PIR*² F 494).
Pr. late rep. or early emp. See *CIL* 1². 826, an inscription of unknown origin preserved at Verona. The only man of this name known in the republican senate. The name, also found at Aquileia, is in Schulze's view (*LE* 45) probably derived from the Veneti.

FUFICIA

?C. FUFICIUS FANGO, *FAL.* (5). *CIL* 10. 3758.
An aedile of Acerrae in the tribe of the town, who, it has been suggested (Syme, *RR* 79, 91), may have been identical with or closely related to the man of the same name in Caesar's senate. See below, Chap. 15, after n. 24.

FUFIDIA

L. FUFIDIUS, from Arpinum? *COR.*? (3 and 4).
? Q. FUFIDIUS, from Arpinum, *COR.* (7).
The first man, perhaps pr. 81, was propr. in Spain in 80. See *MRR.* The second man, tr. mil. 51–50 in Cilicia, was certainly from Arpinum, where the name occurs in the republic (*CIL* 1². 1537), but he was evidently not in the senate in 46 (Cic. *Fam.* 13. 11 and 12). The family of the first man may have come from Arpinum, but it is to be noted that he was a supporter not of the Marii from that town but of Sulla.

FUFIA

• Q. FUFIUS Q. f. CALENUS, from Cales, hence *POB.* (10).
Cos. 47. The cognomen indicates origin from the Latin colony Cales. He may be identical with the man whose name appears as KALENI on the obverse of a denarius dated by Sydenham, no. 797,

ca. 69. The scene on the reverse, with figures of Roma and Italia, represents the settlement after the Social War.

FULVIA

- L. FULVIUS L. f. L. n. CURVUS, from Tusculum, *PAP.* (46) and the
- FULVII CURVI, CENTUMALI, FLACCI, NOBILIORES, PAETINI.

L. Fulvius Curvus, cos. 322, the first man of his house in the *Fasti*, came from Tusculum. See Pliny, *N. H.* 7. 136, where the details of his career are obviously incorrect. Münzer's analysis of the tradition in *RE* is more convincing than his later discussion, *RA* 64 ff. See M. Flavius above and Chap. 15, with notes 25, 28, 29; Chap. 16, with notes 10–14. On the origin of *tot Fulvii* from Tusculum, see Cic. *Planc.* 20. It is likely that all the great Fulvii, including sixteen other consuls in the two succeeding centuries, were in Tusculum's tribe, the Papiria. See the family tree, *RE*, col. 231. For continued association of the house with Tusculum, it is significant that an inscription recording the capture of Aetolia by M. Fulvius Nobilior, cos. 189 (*RE* 91), was found at Tusculum (*ILS* 17) and that Fulvia, wife of Mark Antony, is described as Tusculana (Cic. *Phil.* 3. 16).

? A. FULVIUS A. f., *TRO.* (cf. 94). Consilium 89, no. 49.

The praenomen Aulus, unknown among the Fulvii of Tusculum, occurs in the name of A. Fulvius who was a senator in 63 (Val Max. 5. 8. 5; Dio 37. 36. 4). Cichorius, *RS* 175, suggests that he may be identical with the A. Fulvius in the Consilium.

FUNDILIA

? C. FUNDILIUS C. f., *QUI.*? Consilium 89, no. 21.

Tr. mil.? The tribe is uncertain, but there seem to be traces of a Q on the bronze. Fundilii are found in the inscriptions of Reate, which was in the Quirina. See Cichorius, *RS.* 153 f., for the suggestion that this man and also L. Fundilius of Varro, *R.R.* 1. 2. 11, came from Reate. C. Fundilius may not have been in the senate. No other republican senator of the name is known.

FURIA

FURII BIBACULI, FUSI, MEDULLINI (CAMILLI), PACILI, PHILI, PURPUREONES, associated with Tusculum, *PAP.*?

Early inscriptions of Furii at Tusculum include a military tribune M. Fourio(s) C. f. who made votive offerings *de praidad* to Fortuna and Mars (*CIL* 1^2.48–49 = *ILLRP* 100, 221. Münzer's identification of him, Furius 56, *RE*, with M. Furius Crassipes, pr. 187, 173, is uncertain); they also include a series of cinerary urns (now lost) representing a poor burial of Furii among whose praenomina occur L. and M., both common among the patrician Furii (*CIL* 1^2. 50–57). The inscriptions do not mean that this patrician house, far older than the time of Tusculum's citizenship, originated in Tusculum. But the Furii may have been in the Papiria tribe either from early times or through the transfer of some members after Tusculum was enfranchised or their position may be explained by the exercise of patronage over Tusculum. M. Furius Camillus is credited with securing the grant of citizenship for Tusculum after 381 (Plut. *Cam.* 38. 4) and his grandson, cos. 338, is assigned the leading role in securing generous treatment of the Latins in the settlement under which the citizenship of Tusculum was confirmed (Livy 8. 13–14). One would expect M. Furius Camillus to be placed in a Veientane tribe, but perhaps his colleague as tr. mil. c. p., L. Furius, who shared in the expedition to Tusculum in 381 (Livy 6. 25) was placed in the Papiria. See Chap. 15, Chap. 16, with n. 10.

• L. Furius L. f. Crassipes, *OUF.* (55). *CIL* 1^2. 665 (*ILS* 4054).

Pr. or pro mag., probably of late second century, who was initiated into the mysteries of Samothrace.

Gabinia

A. Gabinii, *FAL.*, *TER.*, or *POB.* ?? (6–11).

Five A. Gabinii from the tr. pl. of 139 to the cos. of 58 are known. The family was probably derived from Gabii (Schulze, *LE* 532 f.) and seems to have settled early in Campania and vicinity, where freeborn Gabinii and slaves of Gabinii appear among the potters who signed Calenian ware (ca. 250–180) produced at the Latin colony, Cales, later in the Poblilia (*CIL* 1^2. 409–14, 2490). There are freedmen A. Gabinii in Capua (10. 4153–54), which was in the Falerna, and in the empire there are senators (*PIR*^{2} G 4, 6, 10) at Venafrum in the Teretina. But the name occurs elsewhere, for instance in Etruria. See Schulze, *LE* 304, and on the career of A. Gabinius, cos. 58, E. Badian, *Philologus* 103 (1959) 87–99.

GELLIA

• L. GELLIUS L. f., *TRO.* (17). Consilium 89, no. 1.
Presumably legatus in 89. Almost surely the consul of 72.

GEMINIA

• C. GEMINIUS, *CAM.* (*RE* Suppl. 3. col. 542, cf. col. 528).
In an unpublished inscription of Cos, Geminius is recorded as the man who gave the first vote on a lex of 39. He was surely a senator, probably identical with Antony's friend Geminius. See Münzer in *RE* and Syme, *MSen* 62 f., where the tentative suggestion is made that he was a native of Tibur, which was in the Camilia. The name Geminius is not found in the inscriptions of Tibur. To the same family should be assigned C. Geminius Q. f. Cam. Atticus of *CIL* 6. 904. His inscription on a small marble basis found in the Basilica Julia records the gift of five pounds of gold and five of silver, presumably for a statue of Tiberius.

GENUCIA

• L. GENUCIUS L. f., *TER.* Consilium 129, no. 44.
The praenomen Lucius is found in both the patrician and the plebeian Genucii. This is the only senator of the name known after the beginning of the second century.

GESSIA

• P. GESSIUS P. f., *ARN.* Consilium 129, no. 13.
Praetorius. The only senator of this name known in the republic. For Gessii among Italian business men in the East, see J. Hatzfeld, *Les trafiquants italiens dans l'Orient hellénique* (Paris 1919), index.

GRANIA

—] GRANIUS PETRO, from Puteoli?, *FAL.*? (9).
Quaestor designate, probably for 46 (see *MRR*). Granii are prominent at Puteoli. See Münzer s.v. *RE* col. 1817 and Syme,

RR 90 f., for the suggestion that Granius Petro belonged to the family of Puteoli. But see Badian, *Historia* 6 (1957) 344 f. The Granii were prominent among business men in the east. See Hatzfeld's index, *op. cit.* For a Granius in the Aemilia in Rome, see *CIL* 1^2. 1310.

GRATIDIA

• M. GRATIDII, from Arpinum, hence *COR.* (2,3).

They include, besides a prefect, presumably equestrian, of 102–01, legati of 88 and 61–59. On the abundant evidence for their origin from Arpinum, see Münzer, *RE.* Cicero's grandmother was a Gratidia.

HEDIA

• C. HEDIUS C. f. THORUS, *CLA.* (3) S.C. 39, no. 7; 35, no. 8.

Quaestorius? The only republican senator with this rare nomen, which belongs to a type common in the central Apennines. See C. Didius above. Perhaps Hedius came from the territory of the Aequicoli, which was enrolled in the Claudia probably in the third century. The name is not found in the inscriptions of the region.

HELVIA

• C. HELVIUS CINNA, from Brixia, hence *FAB.* (11, 12).

Tr. pl. 44, to be identified with the neoteric poet whose association with the Cenomani and, therefore, with Brixia is established. Helvii are known in the inscriptions of Brixia, which received citizenship in 49 and had Latin rights from 89. Cinna probably belonged to a family of local magistrates and would have acquired citizenship before that date.

HERENNIA

M. HERENNIUS M. f. M'. n. PICENS, from Asculum?, *FAB.*? (34).

Cos. 1 A.D., probably son of M. Herennius, cos. suff. 34, and perhaps great-grandson of the T. Herennius listed by Eutropius (5. 3. 2) among leaders of the Marsi and Picentes in the Social War (no. 15 *RE*). As a Picene, T. Herennius would have

come from the allied city of Picenum, Asculum, where the war started. See Syme, *RR* 92 and Degrassi, *Inscr. Ital.* 13. 1. p. 251. But the relationship is uncertain, for the praenomina in the name of the consul of 1 A.D. do not include Titus, and the ethnic praenomen Picens, like Etruscus and Gallus for other Herennii, may be simply a means of distinguishing men of a name which was common throughout most of Italy. See Münzer, *RE*, col. 662. See Salmon, *Social War* 176 for arguments against assigning the leader Herennius to the Picentes.

• M. HERENNIUS M. f. RUFUS, *MAE.* (41). *CIL* 1². 827 (11. 3717; *ILS* 910; *ILLRP* 441).

Praef(*ectus*) Cap(*uam*) Cum(*as*) q(*uaestor*) in the inscription from Alsium which, according to Bormann in *CIL* 11, is written *litteris magnis et vetustis* on marble. The use of marble, which was not common until Augustus (see Degrassi, *ILLRP* 1, p. viii), makes unlikely Broughton's date of the quaestorship before 90 (*MRR* 2, p. 572). The prefect of Capua and Cumae may well have continued to exist after the Social War. See Degrassi's note, *ILLRP*. I suggest that Herennius may have been brought into the senate under the Marians, perhaps from one of the Latin colonies placed in the Maecia—Brundisium, Hatria, or Paestum.

The procurator of Iamnia, known from Josephus and Philo (see Stein, s.v. "Herennius" 21, *RE*; *PIR*² H 103), C. Herennius T. f. Arn. Capito is recorded in an inscription of Teate Marrucinorum which was in the Arnensis. See H. Fuhrmann, *Epigr.* 2 (1940) 25–29.

HIRTIA

A. HIRTIUS A. f., from Ferentinum?, *POB.*? (2).

Cos. 43. Probably son of A. Hirtius A. f., censor of Ferentinum with M. Lollius (see below), recorded in inscriptions of the Sullan period, *CIL* 1². 1522–25 (*ILS* 5342–45). Other A. Hirtii are found in the inscriptions of Ferentinum (*CIL* 10. 5877–78). Q. Hirtius A. f. Ser. is recorded in a republican inscription from Rome, *CIL* 1². 2524. Degrassi, *ILLRP* 420, suggests that he is a relative of the consul of 43, but, with the difference in tribe, that seems unlikely.

HIRTULEIA

• Q. HIRTULEIUS L. f., *SER.* Consilium 89, no. 34.

See Cichorius, *RS* 167, for the suggestion that he was a brother of L. Hirtuleius, quaestor of Sertorius. Perhaps he was

also related to the quaestor Hirtuleius of 86 or 85. He may have been a native of Cures or Trebula Mutuesca in the Sergia. On the Hirtuleii, see Syme, *CP* 50 (1955) 134.

HORATIA

HORATII, originally *HOR.*?

In the early republic members of this gens were presumably registered in the tribe that bore their name.

HOSIDIA

• C. HOSIDIUS C. f. GETA, from Histonium, *ARN.* (4).

Tr. mon. ca. 60 (Sydenham, no. 903), ancestor of the Hosidii Getae of the empire, for one of whom (*ILS* 7190) the A of Arnensis is preserved in an inscription. On the Hosidii in general and the Hosidii Getae in Histonium, see *RE*, no. 8 (cf. 5) and Mommsen on *CIL* 9. 2844.

INSTEIA

? L. INSTEIUS L. f., *FAL.* Consilium 89, no. 40.

He may be the officer of Sertorius mentioned in Livy, frg. 22 from Book 91. See Cichorius, *RS* 167.

IULIA

• C. IULIUS C. f. C. n. CAESAR, *FAB.* (131). Cf. Suet. *Aug.* 40. 2.

Consul 59, 48, 46–44; dictator. Suetonius' statement about Augustus (Fabianis et Scaptiensibus tribulibus suis die comitiorum ne quid a quoquam candidato desiderarent, singula milia nummum a se dividebat) proves that the Fabia and the Scaptia were the tribes of the Julii and the Octavii. Kubitschek, *Orig* 116–18, showed that the Fabia was the tribe of the Julii. See above Chap. 2, n. 18. The fact that the Fabiani are mentioned first by Suetonius and the special reasons for placing Velitrae, native town of C. Octavius (see below), in the Scaptia support the attribution of Caesar's branch of the Julii to the Fabia rather than to the Scaptia.

• C. IULIUS C. f. C. n. CAESAR (Octavianus) = IMP. CAESAR AUGUSTUS, *FAB.* and *SCA.* (132).

See the previous name for Augustus' association with two tribes. His chief connection was, presumably, with the Fabia.

• L. IULIUS SEX. f. (Caesar), *FAL.* (141). Consilium 129, no. 7.

Praetorius. As Mommsen suggested, he must be the son of the consul of 157 and the father of the consul of 90. Usually identified with the tr. mon. L. Iulius dated by Mommsen, *Röm. Münzwesen* 528, from 154 to 134; by Sydenham, no. 443, ca. 133–26; by Pink, no. 28 (following Mattingly) before 119. The dating needs to be reconsidered in the light of the new date of the Consilium. It is possible that the Falerna recorded in Version B (-να in A) is a mistake of the Greek version which confused Fab. and Fal.

IUNIA

• L. IUNIUS L. f., *GAL.* Consilium 89, no. 5.

Perhaps legatus, probably to be identified with L. Iunius Damasippus, pr. 82 (*RE* 58; cf. Cichorius, *RS* 141). The bronzes of L. Iuni(*us*) leg(*atus*) Sic(*iliae*) that Cichorius proposed to attribute to him are dated by M. Grant, *Imp-Auct* 29 f., in 43–42. His name may give us the tribe of the Junii Bruti.

? L. IUNIUS Q. f., *LEM.* Consilium 89, no. 35.

Cichorius, *RS* 168, suggests that he may be a brother of the iudex of 70, Q. Iunius (*RE* 30), the only known senatorial Junius in the republic who has this praenomen.

IUVENTIA

• —] IUVENTIUS, from Tusculum, hence *PAP.* (1). Cic. *Planc.* 58.

First plebeian curule aedile, according to a family tradition of the Iuventii which Cicero seems to doubt. Cf. Münzer, *RE* and Mommsen, *RSt* 2^3. 482, n. 2; 3. 177, n. 1. The curule aedileship, instituted in 366, was at first a patrician office, but according to Festus 436 L a plebeian was curule aedile in 364. Broughton in *MRR* puts Iuventius with two queries under 306.

• M. IUVENTIUS LATERENSIS, from Tusculum, hence *PAP.* (16).

Pr. 51. Member of consular family from Tusculum. See Cic. *Planc.* 19.

• M'. IUVENTIUS T. f. T. n. THALNA, from Tusculum, hence *PAP.* (30).

Cos. 163. See Cic. *Planc.* 19.

LABERIA

• Q. LABERIUS L. f., *MAE.* Consilium 129, no. 39.

Tribuni militum in this family are known in 258 (praenomen unknown) and in 54 (Q.). As Syme has pointed out to me, the family is known in the inscriptions of Lanuvium, where L. Laberius Maximus was aedile (*CIL* 14. 2097; see 2143 for a Q. Laberius Q. l. and 2093, 2144 for Laberii with other praenomina).

LABIENA

• T. LABIENUS, a Picene, from Cingulum? *VEL.* (6).

Tr. pl. 63; pr. later. On his Picene origin, see Cic. *Rab. Perd.* 22; on his connection with Cingulum, Caes. *B.C.* 1. 15. 2.

LAELIA

C. LAELIUS? C. f., *MEN.* (3). Consilium 129, no. 2.

The first man in this Consilium is surely Q. Caecilius Macedonicus, cos. 140, and it seems likely, as Passerini tentatively suggested, that the second is C. Laelius, cos. 140. He is the only consul of the years 142–130 who was Gaius, son of Gaius, and his nomen apparently fits the space in A which alone preserves fragments of the name: Γά[ιος . . . .]ιος Γαίου υἱὸς Με[ν]ηνία. But there is, of course, the possibility that the nomen belongs to a praetorius.

LAETORIA

? C. LAETORIUS C. f., *VEL.* (11) Consilium 89, no. 48.

Gaius is a favorite praenomen in the gens first known for a tribune of the plebs of the fifth century, but not represented in magisterial records after the early second century. The friend of C. Gracchus, P. Laetorius (*RE* 10), seems not to have been a senator. Perhaps a member of the family settled in Picenum, where the rare nomen is attested in Firmum and Auximum (*CIL* 9. 5372, 5873), both of which were in the Velina.

Q. Laetorius Q. f. Ser. is recorded in *CIL* 6. 21052.

LARONIA

Q. LARONIUS, from Vibo Valentia?, *AEM.*? (2).

Cos. suff. 33. A brick stamp from Monteleone (Vibo Valentia) in Bruttium names him as cos. imp. iter. (*CIL* 10. 8041. 18). Münzer suggests that this was his home.

LARTIA

• L. LARTIUS L. f., *PAP.* (1). Consilium 73, no. 7.

Aedilicius? From Castrum Novum in the Praetuttii? Note the inscription (*CIL* 9. 5150) *L.* ? *L*]artius L. f. [*P*]ap. Rufus, the only basis for the tribe of the old citizen colony of Castrum Novum.

LATINIA

• TI. LATINIUS TI. f. PANDUSA, *HOR.* (8, cf. 4). *CIL* 14. 2166.

A iiiivir viar(*um*) cur(*andarum*), perhaps, Dessau suggests, identical with Latinius Pandusa, leg. pro pr. of Moesia in 18 A.D. (Tac. *Ann.* 2. 66). See Dessau, *PIR*[1] L 80, for the further suggestion that he was a descendant of Ti. Pandusa (*RE* 6) who was associated with the consul C. Sempronius Tuditanus in the war against the Iapydes in 129 B.C. (Appian, *Illyr.* 10). The inscription with the tribe *Hor.* comes from Aricia which was in that tribe and was probably the home of the family. Professor Syme called my attention to this name.

LICINIA

• C. LICINIUS C. f., *POM.* (16). Consilium 73, no. 4.

Pr. 75 or earlier. See Chap. 12, n. 22. Perhaps a Licinius Nerva, a family, prominent in the late second century, in which Gaius is the favorite praenomen. The only Nerva known in the first century is Aulus, tr. mon. ca. 47 (Sydenham, nos. 954–58).

• C. LICINIUS C. f., *TER.* (cf. 52). Consilium 129, no. 16.

Probably praetorius. The new date of the Consilium and the man's advanced position make impossible earlier proposals to identify him with C. Licinius Nerva, tr. pl. between 120 and 111 (*RE* 134) or with the brother of the Vestal Licinia C. f. (*RE* 6

and 181), who was involved in his sister's trial for incest in 114 and subsequently. I suggest that he is C. Licinius Crassus, radical tribune of the plebs in 145 (*RE* 52), probably son of C. Licinius Crassus, cos. 168 (*RE* 51). If he was a praetorius, he had reached the office late, perhaps through Gracchan influence. He may give us the otherwise unknown tribe of the Licinii Crassi. See discussion on the next entry.

• M. LICINIUS M. f. CRASSUS FRUGI, *MEN.* (73). *CIL* 6.31721 (*ILS* 954).

Cos 27 A.D. For recent bibliography on his career, see Groag, *PIR*^{2} 2. pp. 66 f; A. E. Gordon, *Album of Dated Latin Inscriptions* (Berkeley 1958) 1.92 f. Almost certainly son of L. Calpurnius Piso, consul 15 B.C., and grandson of the consul of 58 B.C.; he was adopted by M. Licinius Crassus, cos. 14 B.C. After his adoption he seems to have retained the tribe of his original family, attested for his grandfather L. Calpurnius Piso (see above). The Menenia is also the tribe of the son of Crassus Frugi, Cn. Pompeius Crassi f. Magnus. See below.

L. Licinius L. f. Lucullus is recorded without tribe as a iiiivir i. d. in an imperial inscription of Interamna Nahars in Umbria, which was in the Clustumina (*CIL* 11. 4210). In a republican inscription of the same town (4213) L. Licinius T. f. made provision for a statue of a patron of Interamna, A. Pompeius A. f. Clu. See below on him. The suggestion that the consular Licinii Luculli or at least a branch of the family were associated with the town was made by E. Pais, *GP-CA* 2. 695–98. If Interamna was enfranchised in the third century (see Chap. 7 with notes 13–14), the suggestion is possible, but it is more likely that local Licinii of Interamna later assumed the cognomen of the consular house. See Chap. 15, with n. 24.

• L. LICINIUS L. f. L. n. MURENA, from Lanuvium, hence *MAE.* (123).

Cos. 62. Cicero lists him as the first consul from Lanuvium (*Mur.* 86, cf. 90).

• C. LICINIUS C. f. SACERDOS, *STE.* (154). Consilium 73, no. 5. Pr. 75.

LIGARIA

Q., T., LIGARII, from the Sabinus ager, *SER.*? (4,5).

Q. Ligarius was q. urb. ca. 54; T. Ligarius was legatus in 51–50. The Sabine origin of these brothers is clear from Cic.

Lig. 32: Possum fortissimos viros, Sabinos, tibi probatissimos, totumque agrum Sabinum, florem Italiae ac robur rei publicae proponere. For the ager Sabinus as the region of Cures, see Chap. 5, with notes 51–61. It seems likely that these men were registered in Cures' tribe, the Sergia, rather than in the Quirina.

LIVIA

• M. LIVIUS M. f. M. n. SALINATOR, *POL.* (33). Livy 29. 37. 8. Cos. 219, 207, cens. 204. Livy is describing the penalties inflicted on each other by the two censors (see C. Claudius Nero above): cum ad tribum Polliam ventum est, in qua M. Livi nomen erat . . . M. Livium . . . equum vendere iussit. For the special relations of Livius with the Maecia, which had voted against his condemnation, see Livy 29. 37. 13; *De vir. ill.* 50.

LOLLIA

• M. LOLLIUS Q. f., *MEN.* Consilium 129, no. 48.
The only known official with this nomen before the first century is Cn. Lollius, triumvir nocturn. 241?

• M. LOLLIUS — f. PALICANUS, *POB.* (20). S.C. 39, no. 10.
The name, the last in the list, is] υἱὸς Ποπλιλίᾳ Παλλακεῖνος. He may be identical with the moneyer Palicanus, almost certainly of 47 (Sydenham 960–63). This man was probably the son of M. Lollius Palicanus, tr. pl. 71 and pr. later (*RE* 21), who is described by Sallust (*Hist.* 4. 43 Maurenbrecher) as *humili loco Picens.* The tribe Poblilia is unknown in Picenum, most of which was in the Velina. But for the registration of the family in the Poblilia it is significant that in the Sullan period M. Lollius C. f. was a censor of Ferentinum, a town in the Poblilia. He was a colleague of A. Hirtius (see above), who restored the walls of the town (*CIL* 1^2. 1522–25). The association of the censor of Ferentinum with the tr. pl. of 71 was proposed by Münzer (*RE* 8) without reference to the important evidence of the tribe of the younger Palicanus. The father of the tribune of 71 may have come from the allied city Asculum in Picenum (or perhaps from one of the Latin colonies of the region), and may have acquired citizenship and property in the Poblilia before his town was enfranchised. Ferentinum seems to have been allied until the Social War but neighboring territory was in the Poblilia.

LUCANIA

? M. LUCANIUS M. f., *HOR.* (1). Consilium 89, no. 45.

A lex Lucania, mentioned by Varro, *Sat. Menipp.* frg. 67 (Nonius 309 L), and a Lucanus (corruption for Lucanius?), a Roman general in the Social War (Livy, *Per.* 75), led Cichorius (*RS* 171 f.) to suggest that this man was the son or the nephew of a senator.

LUCILIA

• M'. LUCILIUS M. f., *POM.* (11, cf. 25, 33). Consilium 129, no. 18.

Praetorius? Perhaps an uncle of M. Lucilius Rufus, tr. mon. ca. 100–95 (Sydenham, no 599). See A. B. West's arguments, *AJP* 49 (1928) 240–52, in opposition to Cichorius, *UL* 1–7 and to Münzer, *RE* 11, who identify him with the brother of the poet C. Lucilius. See next name.

• C. LUCILIUS C. f. HIRRUS, *PUP.* (25). S.C. 51, no. 5.

Tr. pl. 53. As Cichorius has shown, *RS* 68–70, he seems to have been a descendant of the brother (presumably a senator) of the poet Lucilius, and to have inherited the poet's herds in Bruttium. The discovery of an inscription recording a Hirrus who was legate of the orator Marcus Antonius in 102–101 (*CIL* 1^2, 2662; see *MRR* for the date), led West, *op. cit.* above, to reject the identification of the previous man with the brother of the poet. The divergence in tribe and praenomina leads to the suggestion that the poet's brother and perhaps the poet himself were in the Pupinia, and that they may have used the cognomen Hirrus. It is to be noted that the Lucilii of the poet's family came from Suessa Aurunca, a Latin colony which was registered in the Aemilia after the Social War. The Lucilii may have received citizenship in the Pupinia before the magistrates of Latin colonies were granted citizenship.

LUTATIA

CN. LUTATIUS CN. f., *ANI.* or *ARN.* (12). S.C. ca. 140, no. 2.

His praenomen, as Münzer points out, indicates that he was a Lutatius Cerco. For the tribe, only the final letters ση remain on the stone.

MAENIA

• T. MAENIUS T. f., *LEM* (16). S.C. 73, no 1; Consilium 73, no. 15.

Quaestorius. Another T. Maenius was pr. in 186. The gens had provided a consul in 338 and praetors in the second century.

MAGIA

MAGII of Aeclanum, *COR.*? (8). Vell. 2. 16.

As a reward for his faithfulness to Rome in the Social War, Minatus Magius was granted citizenship *viritim*, and two of his sons were made praetors in the eighties. Whether they were originally in the Cornelia, in which Aeclanum was placed, is uncertain, but continued association of the family with the town is indicated by the fact that another son was iiiivir of Aeclanum (*CIL* 1^2. 1722–23 = *ILS* 5318). See Chap. 15, after n. 29.

MALLIA

MALLIUS, see MANLIUS

The comparatively rare nomen Mallius is surely represented in the republican senate only by the consul of 105, Cn. Mallius Cn. f. Maximus, a new man, and perhaps by the quaestor urbanus of 99, T. Mallius. The other men listed, often tentatively, as Mallii in *RE* and *MRR*, are, I believe, Manlii. All except one, Mallius (Manlius) Malthinus, for whom (see below) there is other evidence as a Manlius, come from Greek records, and the Greeks, not using the combination of letters νλ, wrote Manlius as Μάλλιος, with such variants as Μάλιος, Μάννιος, Μάνιος. The form Μάλλιος occurs regularly for Manlius in the mss. of Diodorus and Dio, and in Greek inscriptions, in which Dittenberger in 1872 (*Hermes* 6. 153, n. 2) knew no instance of Μάνλιος. See also Münzer's comments, *RE* s.v. Mallius, col. 909 f. and s.v. Manlius, col. 1149. I therefore list the Τίτος Μάλλιος of the S.C. of 161 as a Manlius. L. Manlius L. f., Men. or Tro., whom Broughton and Münzer place tentatively among the Mallii, is better attested as a Manlius. Both these men have praenomina that were common among the patrician Manlii.

MAMILIA

• MAMILII, from Tusculum, hence *PAP.*

The Mamilii were a ruling family from Tusculum (see *RE* 1 and 4) who claimed descent, through a daughter Mamilia (*RE* 16), from Ulysses' son Telegonus, reputed founder of Tusculum (Festus 116 L; Livy 1.49.9; Dionys, 4.45.1). Three members of the house held the consulship, L. and Q. Mamilius Vitulus, 265 and 262, and C. Mamilius Turrinus, 239. The two Mamilii who follow were, if we can trust their coins, members of the same house.

• L. MAMILIUS, from Tusculum, hence *PAP.* (2).

Tr. mon., dated by Sydenham (no. 369) 150–33; by others earlier. The reverse of the bronzes shows Ulysses on the prow of a ship.

• C. MAMILIUS LIMETANUS, from Tusculum, hence *PAP.* (8).

Tr. mon., dated by Sydenham, no. 741, 82–81; by others, 87–82. Probably the son of the tr. pl. of 109 who acquired his cognomen from his land legislation; perhaps father of a tr. pl. of 55 (see *MRR*). His denarii have on the obverse a head of Mercury, ancestor of Ulysses, and, on the reverse, a representation of Ulysses walking with his dog.

MANILIA

—] MANILIUS CUMANUS, tribe of Cumae, *FAL.*?? (24).

Tr. pl. 52. The only tribe found in the rare inscriptions of Cumae is the Palatina. Like most of Campania, Cumae may have been in the Falerna.

MANLIA

• A. MANLIUS Q. f., *SER.* (63). Sydenham, no. 543.
• T. MANLIUS T. f., *SERGIA* (64). *CRRBM* 2, p. 268, n. 1.

The first man was a tr. mon., dated by Sydenham ca. 103–100. The legends on his denarii are ROMA and SER on the obverse, and A. MANLI Q. F. on the reverse. The second man is known from a bronze coin of Brutobriga in Spain, dated ca. 40, and attributed to a legatus by M. Grant, *Imp-Auct* 381 (see *MRR* under legates, 42). The legend on the obverse is T. MANLIUS T. F. SERGIA. The combined evidence of the two coins proves

conclusively to my mind that these Manlii belonged to the Sergia tribe. That is the view of Grueber, *CRRBM* 2. 268, n. 1 and of others. But Münzer (s. v. Manlius 63, 64, *RE*) is convinced by Kubitschek (*Sitz. Ber. Wien. Akad.* 167. 6 [1911] 71–75) that the forms Ser. and Sergia are abbreviations of a cognomen. Grant (and Broughton with a query) accepts this view. The suggestion was originally Mommsen's (*Röm. Münzwesen* 546 f.) who, without knowledge of the second coin, was uncertain whether SER was the abbreviation of the tribe or of a cognomen, for instance Serenus or Serranus. After the second coin became known, Kubitschek suggested that the cognomen was Sergianus, a sign of adoption from the Sergii. Like the tribes cited on the coins of Marii and Memmii below, the Sergia here is used to distinguish these men from another branch of the Manlii which used the praenomina Aulus and Titus. Those were favorite praenomina of the patrician Manlii, who, as Mommsen pointed, out do not use the praenomen Quintus of A. Manlius' father. These men in the Sergia are to be assigned to the plebeian Manlii; as Münzer suggested (s.v. Manlius 34, *RE*), A. Manlius Q. f. may be the father of Q. Manlius, tr. pl. 69. In this case, as in others, the tribe is used by the less important branch of the house.

L. MANLIUS L. f., *MEN.* or *TRO.* (Mallius 6). S.C. ca. 126, n. 1.

The mss. of Josephus give the name as Λουκίου Μαννίου (or Μανίου) Λουκίου υἱοῦ Μεντίνα. The Latin version reads: *lucio manlio luci mentini filio*, with *mallio* as the reading of the cod. Neap. The name Mannius is rare and is unknown in the republican senate, and the evidence for the form Mallius is weak. See above under Mallius. This man is probably a patrician Manlius, among whom Lucius is a favorite praenomen. Perhaps he is a son of L. Manlius (Acidinus?), quaestor urbanus in 168. The tribe is probably the Tromentina, rather than the Menenia. See M. Manlius Capitolinus below.

T. MANLIUS, *FAB.* or *FAL.* (Mallius 10). S.C. 161, no. 2.

The name on the stone is Τίτος Μάλλιος. See Mallius above. Perhaps identical with the Τίτος Μάνιος of *Maccab.* 2. 11. 34 (cf. Manlius 39, Sergius 16 *RE*). T. Manlius probably belonged to the patrician Manlii who used the praenomen Titus. Of the tribe only the letters Φα are preserved.

M. MANLIUS T. f. A. n. CAPITOLINUS, *TRO.*, *STE.*, *SAB.*, or *ARN.*? (51).

Cos. 392. Among the demagogic acts that reportedly led to the downfall of the savior of the Capitol was the payment of debts of plebeians. For that purpose he is said to have sold his chief property, which was in the ager of Veii (Livy 6. 14. 10, *fundum in Veienti, caput patrimonii, subiecit praeconi*). Although the details of the story are doubtful, it is likely that Manlius possessed a farm in the ager of Veii. Like other patricians (see chap. 15), he may have been transferred to a Veientane tribe. It is to be noted that L. Manlius L. f. (above) may have been registered in the Tromentina, later the tribe of the municipium Veiens.

—] MANLIUS MALTINUS, from Interamnia Praetuttiorum?, *VEL.*? (59).

Legatus 89–88. His name, recorded only by Justin 38. 3. 4 (cf. 8), appears in most mss. as Mallius or Malius Maltinus, but in one 11th cent. ms., C (see Ruehl's ed., Teubner, 1915) as Manlius Malthinus. (He is listed as Mallius in *MRR*.) The form Manlius is also supported by an inscription of Interamnia Praetuttiorum (*CIL* 9. 5073): [*M*]anlius Maltinus pr. If, as Dessau (*PIR*[1] M 117) and Mommsen in *CIL* hold, he is a local praetor, the inscription should be assigned to the neighboring citizen colony, Castrum Novum, which (see L. Lartius above) may have been in the Papiria. But it is also possible that we are concerned in the inscription with a Roman praetor, descendant of, or even identical with, the legatus of 89–88, who was perhaps a native of Interamnia Praetuttiorum.

L. MANLIUS L. f. SEVERUS, *PAL.* *CIL* 14, 2413; 6. 2125 (*ILS* 4942).

Name and title in the epitaph, which was once at Castelgandolfo, are as follows: L. Manlio L. f. Pal. Severo regi sacrorum fictori pontificum p. R. iiiiviro Bovillensium. Was he, as Dessau tentatively suggested, rex sacrorum of Bovillae, in whose territory he was buried, or was he a rex sacrorum of Rome, and therefore a member of the old patrician Manlii? The survival of that family is indicated by two inscriptions of a Manlia L. f. Fadilla, regina sacrorum (*CIL* 6. 2123–24), and though I formerly accepted Dessau's suggestion (*UrbTr* 229, n. 15), I now accept Mommsen's view, noting Severus' use of a common praenomen of the patrician Manlii, and I think this man may be a survivor of the republican patrician Manlii. Perhaps, like L. Claudius above, he belonged to a line reserved for politically unimportant priesthoods. On men of rank among the bakers of the pontifices, see Ruggiero, s.v. "Fictor," *DE*. If C. Va . . ., rex sacrorum

and husband of Manlia Fadilla, was a Valerius, there may have been a similar line in that house.

MARCILIA

L. MARCILIUS, from Aesernia?. *TRO.*? (1)

Legate, probably of M. Antonius Creticus, 74–72, mentioned after P. Autronius (cos. desig. 65) in Dittenberger, *Syl*[3] 748. The nomen is rare, and Münzer may be right in associating him with Q. Marcilius L. f., duumvir of Aesernia, a Latin colony enrolled in the Tromentina (*CIL* 1^2. 1753).

MARCIA

• Q. MARCIUS L. f., *PAP.* (83). Consilium 89, no. 38.

A *tiro* in the army of Cn. Pompeius Strabo. The praenomina support Cichorius' attribution, *RS* 168 f., of this man to the Marcii Philippi. He is almost certainly to be identified with the son of the consul of 91 and the brother of the consul of 56, the Q. Philippus who governed Cilicia in 47 (see *MRR* with references to Syme and Magie on the date). Unlike most of the other men in the Papiria in this list, the Marcii Philippi and the other noble Marcii, the Censorini and the Reges, were not of Tusculan origin. As their coins with the images of Ancus Marcius, and sometimes of Numa, show (see Münzer s.v. Marcius, *RE*, col. 1535 f.), they claimed descent from Roman kings. Although they were a plebeian gens, they held that they had once been patrician, and that the legendary Cn. Marcius Coriolanus was their ancestor. Their traditions are in favor of a Roman (and a distant Sabine) origin, and the suggestion of W. Schur (for his revised view see *RE*, Suppl. 5, col. 653 ff. esp. 658) that they came from a south Latin city is to be rejected. The Marcii may well have been registered in the Papiria before Tusculum was fully enfranchised. (On the date, see Chap. 7 with n. 3.) Like P. Plautius P. f. *Pap.* (below), Q. Marcius was presumably a descendant of a great plebeian house of the fourth century. See Chap. 16.

Q. Marcius Q. f. Ter. Rex was quattuorvir i. d. of Interamna Lirenas, a former Latin colony in the Teretina. See *CIL* 10. 5344 and Degrassi's note, *ILLRP* 444.

MARIA

• C. MARIUS C. f. C. n., from Arpinum, hence *COR.* (Suppl. 6, col. 1363 ff.).

Cos. 107, 104–100, 86. Cicero (*Planc.* 20) emphasizes the pride of the Arpinates in Marius.

? C. MARIUS C. f., *TRO.* (18). *CREBM* 1. 20–22; *CIL* 6. 9610 (33097) (*ILS* 7813).

Tr. mon., dated by Mattingly 13 B.C. The tribe, found both on a coin and in the epitaph of his slave, is obviously used to distinguish him from the family of the great Marius. It is uncertain whether any of the Marii of the late republic belong to his family. Besides the great Marius and his son, another C. Marius is known, a tr. mon. ca. 82–79 (Sydenham, no. 744), C. Marius C. f. Capit(*o*).

• M. MARIUS GRATIDIANUS, from Arpinum, hence *COR.* (42).

Pr. 85?, 84? Son of M. Gratidius of Arpinum and of a sister of C. Marius; adopted by a brother of Marius.

MEMMIA

• C. MEMMIUS L. f., *GAL.* (6, 7). Sydenham, no 712.
• L. MEMMIUS L. f., *GAL.* (14). Sydenham, no. 712.

Joint issue of denarii with the inscription L. C. MEMIES L. F. GAL., dated by Sydenham in 86–85. The Memmii had no cognomen, and the tribe was used to distinguish this branch from the branch in the Menenia which used the same praenomina. See L. Memmius C. f., *Men.*, below, with references to the Memmii who sign their coins without tribe.

• L. MEMMIUS, *GAL.* (14). Sydenham, no 574.

Tr. mon., dated by Sydenham in 103–101; by Pink, no. 52, in 104–89.

• L. MEMMIUS C. f., *GAL.* (15). *CIL* 6. 1460 (*ILS* 887).

Quaestor either shortly before 43 or 40–34. See *MRR* 2, p. 476.

• L. MEMMIUS C. f., *MEN.* (cf. 11). Consilium 129, no. 5.

Since he is high on the list of the praetorii, he was probably an older man and may well be the son of C. Memmius, pr. 172 (*RE* 4). With the new dating of the Consilium, he cannot be identified with the L. Memmius, apparently a praetor or a pro-

praetor who was honored in Egypt in 112 (*RE* 11), but may be his father. This Memmius, of high rank in the senate in 129, may represent the major line of the Memmii, the line that did not have to use the tribe as a means of identification, except in a list where every name has a tribe. Two later Memmii sign their coins without tribe, L. Memmius, tr. mon., dated by Sydenham, no. 558, ca. 109 and by Pink, no. 45. ca. 104 (perhaps a son of the praetorius of 129); and the late republican C. Memmius C. f., identified by Münzer, *RE* 10, as a son of the praetor of 58 (famous for his association with Lucretius and Catullus), with the suggestion that he may be the cos. suff. of 34. Coins of this late republican moneyer glorify his ancestor Memmius, who as plebeian aedile gave the first performance of the Ludi Ceriales, presumably in the third century. The coins are dated by Sydenham, nos. 920–21, ca. 56 and by Pink, no. 77, ca. 50. An earlier date, 63, has been proposed by A. Alföldi, offprint, *Schweiz. Numismatische Rundschau* 36 (1954) 28, a date which, as the author points out, p. 11, makes impossible identification with the son of the pr. of 58.

The family tree of the senatorial Memmii deserves a complete restudy that will take into account the coins with and without tribe, and the praetorius of 129, who is left out of the line of descent in the stemmata prepared by Mommsen (*Röm. Münzwesen* 597), by Münzer (*RE* col. 607–08), and by Biedl (*Wien. St.* 49 [1931] 110). I believe that there were two different branches, derived, as the praenomina indicate, from the same house; one branch perhaps maintained the old family registration in the Menenia, while the other was transferred to the Galeria, possibly, I would suggest, because of assignments in the citizen colony of Luna, founded in that tribe in 177. (The nomen is not found in the inscriptions of Luna.) From the former line I should derive the major Memmii, including the plebeian aedile of the third century, the praetorius of 129, the praetor of 58, and the moneyer usually assigned to the fifties. This line was perhaps Sullan in sympathy; it is to be noted that the praetor of 58 married Sulla's daughter Fausta before 70. From the latter line came the men of the Galeria, who seem clearly to have been Marians in the eighties. L. Memmius C. f., Gal., of *CIL* 6. 1460, may be the son of the moneyer C. Memmius L. f. Gal., who was perhaps proscribed, and his son may have had the right to sue for office restored to him by Caesar or the triumvirs. It is noteworthy that the Galeria is the tribe of Senecio Memmius Afer, cos. 99 A.D. (*CIL* 14. 3597; see *RE* 20). His family presumably acquired the nomen and the tribe of a Memmius in the Galeria. See also M'. Acilius Glabrio Cn. Cornelius Severus above.

A republican Memmius who was not a senator is found in another tribe, and with different filiation, in a tomb inscription from Ephesus, *CIL* 1^2. 2266: L. Memmius T. [*f.*] Ou[*f.*] Tarrichinensis. He presumably came from Tarraco in Spain, which did not have citizenship at the time.

MENENIA

MENENII, originally MEN.?

In the early republic members of this gens were presumably enrolled in the tribe that bore their name.

METTIA

• M. METTIUS, from Lanuvium, hence *MAE.* (2)

Tr. mon. 44, Sydenham, no. 1057. The image of Juno Sospita on the reverse of one series of his denarii indicates his origin from Lanuvium.

MINATIA

? M. MINATIUS M. f. SABINUS, *POM.* (3). *CIL* 1^2. 1686 (*ILS* 5321, *ILLRP* 395).

The man who restored a tower in Lucania at Tegianum (?) is probably identical with the proquaestor of Pompey's sons, 46–45.

MINUCIA

L. MINUCII BASILI, from Picenum, *VEL.*? (37,38).

They include a legate of Sulla in 88 and a praetor of 45, one of Caesar's assassins. The former is probably identical with the L. Minucius Basilus whom Cicero (*Off.* 3.74) describes as *patronus agri Piceni et Sabini.* He adopted the latter, his sister's son. Cichorius, *RS* 175 ff., ingeniously associated them with L. Minucius L. f. Vel., Consilium 89, no. 51. He also noted a republican record from Cupra Maritima in Picenum of a duumvir, L. Minucius L. f. (*CIL* 1^2. 1917 = *ILS* 5391). Cichorius and Münzer (in *RE*) differ on the relationships of the various men, but the assignment to the Velina tribe and to Cupra Maritima is likely.

• Q. MINUCIUS M. f., *TER.* (66). Consilium 89, no. 6.

Perhaps quaestor in 89; leg. pro pr. 86. The praenomina and the identity of the tribe with that of the next man indicate that he was a Minucius Thermus. The family is probably to be assigned to Minturnae, citizen colony in the Teretina, where a slave of L. and M. Minucii appears among the republican magistri (*CIL* 1^2. 2693).

• Q. MINUCIUS Q. f. THERMUS, *TER.* (67). Consilium 73, no. 13. Quaestorius in 73; tr. pl. 62; later pr.

C. Minucius C. f. Fal. Thermus was a member of the local nobility and belonged to the tribe of Telesia in Samnium (*CIL* 9. 2234 = *ILS* 6510). Münzer, *RE* 62, associates him with the republican family.

MUNATIA

L. MUNATIUS L. f. L. n. L. pron. PLANCUS (30)
and
T. MUNATIUS PLANCUS BURSA, from Tibur, hence *CAM.*? (32).

These men were brothers. The former was cos. 42, the latter tr. pl. 52. On the origin of the former from Tibur, see Horace, *C.* 1. 7. 21, with notes of Porphyrio and Pseudo-Acro on line 1. The origin is supported by a representation of Hercules, the chief god of Tibur, on the reverse of a bronze semis inscribed COPIA FELIX MUNATIA, an early name of the colony established at Lugdunum by L. Munatius Plancus. See Willers, *Zeitschr. für Numismatik* 34 (1902) 65–77, and Münzer, *RE.* But the ancestry of L. Munatius Plancus, known from his tomb inscription at Gaieta (*ILS* 886), shows that the family had had citizenship for at least three generations, that is long before Tibur was enfranchised. Hence there is some doubt whether he was in the tribe later assigned to Tibur.

MUNIA

• M. MUNIUS M. f., *LEM.* Consilium 129, no. 35.

The name is otherwise unknown in the republican senate, though a woman described by Valerius Maximus as *cum a patre tum a viro . . . inclitam* (9. 1. 8 of 52 B.C.), may belong to the senatorial class. The name is found in Sabine territory at Amiternum (see Münzer, *RE*, col. 642) and at Reate. To the citations given by Münzer, *RE*, may be added the famous inscrip-

tion of the merchant L. Munius, who dedicated a tithe to Hercules Victor (*CIL* 1^2. 632 = *ILS* 3410). On the definite establishment of the reading Munius through the rediscovery of the inscription, see Giglioli, *Athen.* 28 (1950) 267–75.

NAUTIA

• C. NAUTIUS Q. f., *VOT.* (Nutius 1). Consilium 129, no. 28.

Ναύτιος, the reading of B, is to be preferred to Νούτιος of A. This may be an isolated example of a plebeian Nautius, since the praenomen Q. is unknown in the patrician family attested from the fifth to the third centuries.

NERIA

? CN. NERIUS, *PUP.* (3). Cic., *ad Q. fr.* 2. 3. 5.

The accuser of P. Sestius in 56, perhaps identical with the quaestor of 49 (not, as Münzer states, cos. suff. in 36; see Degrassi, *Inscr. Ital.*, 13. 1, p. 136). But the tribe may be used to distinguish him from another, perhaps more important, Cn. Nerius, and this man may not have been a senator.

NONIA

? L. NONIUS T. f., *VEL.* (8). Consilium 89, no. 41.
? T. NONIUS T. f., *VEL.* (10). Consilium 89 no. 40.

Presumably brothers, probably not senators, but L. Nonius may have been the father of the next man. Like many other men in this Consilium, they presumably came from Picenum. See Cichorius, *RS* 170.

• L. NONIUS L. f. ASPRENAS, *VEL.* (14). S.C. 39, no. 3; S.C. 35, no. 2.

Cos. suff. 36. See Degrassi, *Inscrip. Ital.* 13. 1, p. 136.

L. Nonius L. f. Asprenas is recorded without tribe as iiiivir of Carsulae in the Clustumina, *CIL* 11. 4572.

• M. NONIUS SUFENAS, (52)
and
• SEX. NONIUS SUFENAS, from Trebula Suf(f)enas, hence *ANI.* (53).

Sex. Nonius Sufenas was pr. 81; M. Nonius Sufenas, presumably his son, was tr. pl. in 55, pr. 52?, and is almost surely to be identified with the monetalis who struck coins celebrating the first presentation of the Ludi Victoriae Sullanae, of which the pr. of 81 was in charge (Sydenham, no. 885). H. B. Mattingly's suggestion, *Num. Chron.* 16 (1956), 189–203, that PR. on these coins is an abbreviation of Pr(aeneste) and that the elder Nonius was quaestor, not praetor, in 81 seems to me doubtful. The cognomen clearly indicates the place of origin of the family. On Trebula Suffenas, see my *TrebSuf.* Cf. A. Plotius, below.

NUMERIA

• Q. NUMERIUS Q. f. RUFUS, *VEL.* (5). *CIL* 1^2, 759.

Tr. pl. 57; later legatus (of Caesar?). Presumably from Picenum, but the name is not found in the inscriptions of the region.

NUMISIA

T. NUMISIUS TARQUINIENSIS, associated with Tarquinii, *STE.*? (10).

Legatus 169, 167. Cf. C. Numisius C. f. Ste., in Hygin. grom., *Corp. Agrimensor.* 164 Th. The Stellatina is the tribe of Tarquinii, which seems not to have acquired citizenship until the Social War. But part of its ager was sacrificed and the citizen colony of Graviscae was established on its former territory in the Stellatina in 181 (cf. Livy 40. 29. 1; see Chap. 7, n. 30). Numisius may have received a land grant in the tribe and may have acquired his cognomen for special services to Tarquinii. For another Numisius in the Stellatina from Tarquinii, see *CIL* 11. 2958, a nenfro cippus of a type common at Tarquinii, and taken from there to neighboring Tuscana, where it is now preserved. See Bormann's comments, *ibid.* p. 450.

NUMITORIA

• C. NUMITORIUS C. f., *LEM.* (1). Consilium 129, no. 29.

Perhaps father of the tr. mon. dated by Sydenham (nos. 466–467) 133–26, by Pink (no. 33) 118–104. Even if Sydenham's early date is correct, this man is too high on the list to be identified with the moneyer. The name (see Münzer, *RE*) is known from tribunes of the plebs from the fifth century, and in

this period is familiar from the Q. Numitorius who betrayed his town, the Latin colony Fregellae, to the Romans in 125.

OCTAVIA

• C. OCTAVIUS C. f. C. n., *SCA.* (15). Suet. *Aug.* 40. 2.
Pr. 61; father of Augustus. See under C. Julius Caesar for the evidence that the father of Augustus belonged either to the Scaptia or to the Fabia. On the reasons for assigning Velitrae, native town of these Octavii, to the Scaptia, see Chap. 5, with notes 25–29. An equestrian family until this C. Octavius rose to the praetorship, with an ancestor who was tr. mil. in 205 (Suet. *Aug.* 2).

• CN. OCTAVIUS L. f., *AEM.* (19). Consilium 129, no. 25.
Probably, as Mommsen suggested, grandson of the consul Cn. Octavius of 165, and a member of the family to which the consuls of 128, 87, and 76 belonged.

M. OCTAVIUS LIGUS, *POL.*? (69; cf. 68).
Senator in 75. See *MRR* 2, p. 493. The cognomen at this late date probably indicates origin from Liguria, where the regions granted citizenship before the Social War were in general in the Pollia. On the use of the ethnic cognomen, see Münzer, *RE*, col. 1801. As he notes, L. Octavius Ligus, duumvir of Forum Clodi in Etruria in 5 B.C. (*ILS* 135, 142), seems to be of the same family.

M. OCTAVIUS MARSUS, from the Marsi, *SER.*? (71).
Legatus 44–43. See Syme, *PBSR* 1 (1938) 21, n. 107.

OFIDIA, see AUFIDIA

OPIMIA

• L. OPEIMIUS Q. f., *HOR.* (6). Consilium 89, no. 39.
Perhaps a descendant of Q. Opimius, cos. 154, and a nephew of L. Opimius Q. f. Q. n., cos. 121. See Cichorius, *RS* 169, and Münzer's stemma, *RE*, col. 673 f. He may have come from Aricia, a town in the Horatia which, according to Cicero, was the source of *multae sellae curules* (*Phil.* 3. 16).

OPPIA

• CN. OPPIUS CN. f., *VEL.* (28). Consilium 89, no. 24.

Perhaps Cn. Oppius Cornicinus, senator in 57 (Cic. *Att.* 4. 2. 4; *Post red. ad Quir.* 12). See Cichorius, *RS* 157, 160. He is listed in a series of men in the Velina, adherents of Pompeius Strabo. His native town may have been Auximum in Picenum where the nomen Oppius (not however the cognomen Cn.) occurs in eleven imperial inscriptions, including records of municipal magistrates and of a Roman knight and two senators.

ORCHIVIA

C. ORCHIVIUS, from Praeneste? *MEN.*? (Orcivius 1).

Pr. 66, the only man of this name known in the republican senate. The Orc(h)ivii were prominent in local offices of Praeneste in the republic, and C. is the most common praenomen. See *CIL* 1^2. 93, 128, 228–33, 1460, 2357, 2439, 2466–67 and Degrassi, *ILLRP* 105 b, 107 c, with note on 101–10.

OTACILIA

? M'. OTACILIUS M'. f., *POL.* (4). Consilium 89, no. 55.

The praenomina suggest that he belonged to the consular family of the third century, from which a prefect is recorded in 48. See Cichorius, *RS* 179. The Otacilii reportedly came from Malventum (later Beneventum) but they were enfranchised in some tribe before Beneventum received a Latin colony in 268. It is uncertain whether this document, which includes several men in the Pollia who were presumably henchmen of Pompeius Strabo, gives us the tribe of the consular Otacilii. No. 59 in this Consilium, L. Otacilius L. f. Pup., probably did not belong to the consular family.

PAPIRIA

PAPIRII, *PAP.*?

In the early republic members of this gens were presumably registered in the tribe that bore their name.

• —] PAPIRIUS, *QUI.* (7). S.C. ca. 134, no. 2.

• C. PAPIRIUS C. f. CARBO, *CLU.* (36). *CIL* 6. 1317 (*ILS* 909).

Quaestor pro pr., early Augustan; member of the consular family of the second-first century. See Chap. 16.

• C. PAPIRIUS C. f. MASSO, *VEL.* (60). *CIL* 6. 1480 (*ILS* 907).

Aed. pl., Augustan. The Papirii Mas(s)ones were a consular family not known among magistrates after 176. This branch was originally patrician (Cic. *Fam.* 9. 21. 2), but eventually, as the office of this man shows, passed to the plebs. See Münzer, s.v. "Papirius," *RE*, nos. 57 ff.

PAPIA

• L. PAPIUS CELSUS, from Lanuvium, hence *MAE.* (10).

Tr. mon. ca. 46 (Sydenham, nos. 964–69; 47 according to Pink, no. 79); member of a senatorial family of the late republic. See T. Annius Milo. The head of Juno Sospita on the obverse of one series of his denarii shows his origin from Lanuvium.

PEDANIA

? P. PEDANIUS P. f., *AEM.* (3). Consilium 89, no. 47.

For the tribe, the bronze reads *ABM.* See Cichorius' ingenious identification of him, *RS* 174 f., with the P. Consta or Costa of Plutarch, *Cic.* 26. 6 (cf. Tac. *Hist.* 2. 71). There is no evidence that this man was a senator, but the Costa who was a legate of M. Brutus in 43–42 may have been of the same family. The nomen, according to Schulze's suggestion, *LE* 532 f., may have been derived from the old Latin town Pedum. He may have been a native of Fundi or Formiae in the Aemilia, but the name is not found in the inscriptions of the towns.

PETILLIA

• Q. PETILLIUS T. f., *SER.* (6). S.C. 78, no. 3.

Presumably a member of the family of the consul of 176, Q. Petillius C. f. Q. n. Spurinus. For a Petillius who seems not to have belonged to a senatorial family, see Consilium 89, no. 25, Q. Petillius L. f. Vel., obviously from Picenum.

PETREIA

M. PETREIUS, from Aricia? *HOR.*? (3).

Pr. ca. 64. M. Petrei . . . Hor. of *CIL* 14. 2362, an inscription, known by ms. authority, from Albano close to Aricia which was in the Horatia, is a better indication of his origin than the record of Pliny (*N. H.* 22. 11) cited by Syme (*RR* 31): centurioni . . . Cn. Petreio Atinati Cimbrico bello. The rare nomen is also known from an inscription of Q. Petreius (*CIL* 14.4197) from the grove of Diana in the territory of Aricia. See Schulze, *LE* 366.

PETRONIA

? T. PETRONIUS P. f., *FAB.* Consilium 89, no. 54.

Cichorius does not identify this man, and *RE* omits him. The republican Petronii listed in *MRR* are a Gaius and a Marcus from the second century and two later men whose praenomina are unknown. This man's father's praenomen appears in the senatorial family of the early empire, first known from P. Petronius Turpilianus, tr. mon. ca. 18 B.C. (*RE* 74, cf. 24, 75).

PETRUCIDIA

M. PETRUCIDIUS M. f., from Picenum or Praetuttii?, *VEL.*? (Petrosidius 2).

Leg. pro pr. under Cn. Pompeius filius in 45. He was closely associated with T. Labienus, who came from Cingulum in Picenum, and Münzer suggests that he may have come from the same region, noting the name of M. Petrucidius C. f., a magister from the Praetuttii (*CIL* 1^2. 1898) who were in the Velina.

PINARIA

• L. PINARIUS L. f. RUSCUS, *PUP.* (22). *CIL* 6. 1489.

Senator of early empire, perhaps a descendant of M. Pinarius Rusca, pr. 181 (*RE* 21); possibly from a plebeian branch of the house.

The old patrician Pinarii Nattae are last known in the republic through L. Pinarius Natta (19), pontifex 58–56. The following Pinarii

with the praenomina and cognomina of this family (cited by Stein under no. 17, *RE*) are known in imperial inscriptions:

1) L. Pinarius L. *f.* Natta, *Gal.*, municipal magistrate of Abellinum, which was in that tribe, *CIL* 10. 1129 (*ILS* 2698). There seems no reason to identify him with Pinarius Natta, a client of Sejanus (Tac., *Ann.* 4. 34) who may be the Natta Pinarius of Seneca, *Ep.* 122. 11.

2) *Pi*]narius T. f. Natta, *Clu.*, municipal magistrate of Interamna Nahars in that tribe (*CIL* 11. 4189 = *ILS* 6627). His father is apparently T. Pinarius without cognomen, (*CIL* 11. 4746).

3) L. Pinarius L. f. Natta, father and son, in an inscription without tribe, from Aquileia which was in the Velina. The son's wife was a freedwoman. See Pais, *Suppl. Ital.* 275.

There is no proof that any of these local records preserves the old tribe of the republican Pinarii Nattae.

PLAETORIA

• L. PLAETORIUS L. f., *PAP.* (6). Consilium 129, no. 46.

The name on the stone is Πλαττώριος, but there is no doubt that he belonged to the Plaetorii, a senatorial family of the second and first centuries. Very possibly from Tusculum.

PLANCIA

• CN. PLANCIUS, from Atina, *TER.* (4). Cic. *Planc.* passim.

Aed. cur. 54. He was a native of Atina, and belonged to its tribe, the Teretina. There are Plancii in the inscriptions of Atina.

PLAUTIA

• A. PLOTIUS (Plautius), *ANI.* (8). Cic. *Planc.* 54.

Pr. 51. As Dessau recognized (*CIL* 14. p. 394), it is clear from Cicero's discussion that Plotius was in the Aniensis. The same tribe is found for two members of the family of M. Plautius M. f. A. n. Silvanus, cos. 2 B.C., who was almost certainly the grandson of this A. Plotius. The family of the Plautii Silvani came not, as is generally stated, from Tibur, in whose territory they built their monumental tomb, but from neighboring Trebula Suffenas (Ciciliano) in the Aniensis, their tribe. The inscription of P. Plautius Pulcher, son of the cos. of 2 B.C. (see below), and a fragmentary inscription (*CIL* 14. 3509), which apparently records the father of Plautius Silvanus and the son of this A. Plotius, were found at or near Ciciliano. See my *TrebSuf.*

• P. PLAUTIUS P. f., *PAP.* (16, cf. 23). S.C. 44, no. 7.

Praetorius?; probably to be identified with P. Plautius Hypsaeus, pr. not later than 55. Like Q. Marcius L. f. above and perhaps like the Furii, and unlike most of the other men in the Papiria in this list, this Plautius, member of a second-century consular family, seems not to have come from Tusculum. As his coins show (Sydenham, no. 910), he claimed descent from C. Hypsaeus who captured Privernum, a man to be identified with C. Plautius Decianus (*RE* 18), cos. 329. The Plautii may have been registered in the Papiria before Tusculum acquired full citizenship. See Chap. 16.

• P. PLAUTIUS M. f. PULCHER, *ANI.* (46). *NSc.* 1932, 126 f.

Quaestor 31 A.D., later pr. Son of M. Plautius Silvanus, cos. 2 B.C., and almost certainly great-grandson of A. Plotius above. The inscription was found near Ciciliano, the site of Trebula Suffenas, place of origin of the family.

• TI. PLAUTIUS M. f. SILVANUS AELIANUS, *ANI.* (47). *CIL* 14. 3608 (*ILS* 986).

Cos. suff. 45, 74 A.D. Adopted, perhaps from the Aelii Lamiae, probably by the oldest son of M. Plautius Silvanus, buried in the tomb of the Plautii on the via Tiburtina, near Tibur. See my *TrebSuf* 28–30. He has the tribe of the Plautii Silvani.

—] PLAUTUS

— —] PLAUTUS, *FAL.* S.C. 35, no. 3.

Unidentifiable. See Syme, *MSen* 66.

POMPEIA

• A. POMPEIUS A. f., *CLU.* (4). *CIL* 11, 4213 (1^2. 2510 = *ILS* 6629).

Quaestor perhaps in the eighties. Omitted in *MRR* and in Syme, *MSen.* He is known from the inscription of Interamna Nahars, cited above, which reads as follows: A. Pompeius A. f. Clu. q. patrono municipi Interamnat. Nahartis quod eius opera universum municipium ex summis pereiculeis et difficultatibus expeditum et conservatum est ex testamento L. Licini T. f. statua statuta est. Cichorius, *RS*, 185–89 (accepted by Miltner, *RE* and by Degrassi, *ILLRP*, note on 364), associates his services to Interamna with Sulla's punishment of the town for support of the Marians, applying to Interamna Nahars the statement of

Florus (2. 9. 27): municipia Italiae splendidissima sub hasta venierunt, Spoletium, Interamnium, Praeneste, Florentia. But Florus' Interamnium has often been identified with Interamnia Praetuttiorum, which, like Praeneste and Florentia, almost surely received a Sullan colony. See Gabba, *Athen.* 29 (1951) 235, 271. The possibility that the peril from which A. Pompeius rescued Interamna Nahars may belong to the Catilinarian period or the time of the Perusine War should still be considered. As Cichorius showed, A. Pompeius was in the family of the Pompeii which later took the cognomen Bithynicus. Miltner (s.v. " Pompeius " col. 2050, *RE*) holds that the Bithynici were related to the Rufi, but there is some uncertainty about the relationship. The Bithynici used the praenomina A. and Q., which were found among the Pompeii Rufi, but not among the Magni. But they also used Sextus, which was employed by the Magni, but not by the Rufi. Moreover, this member of the Bithynici was in the tribe of the Magni, while the Pompeius Rufus listed below is in the Arnensis. I therefore hold that the relationship was with the Magni, rather than with the Rufi. On the relationship of the Pompeii in the Clustumina to Interamna Nahars, which was in that tribe, see discussion below of the three members of Pompeius Magnus' family recorded in the Clustumina.

• Cn. Pompeius Cn. f., *CLU.* (6). Consilium 129, no. 31.

Probably, as Mommsen suggested, an uncle of Cn. Pompeius Strabo, cos. 89; older brother of Strabo's father, pr. ? of Macedonia in 119? (On the date, see *MRR* 1, p. 527, n. 3.) The new date of the Consilium of 129 makes impossible Cichorius' identification of him, *RS* 165 f., as a cousin, instead of an uncle, of Pompeius Strabo. Miltner, in his article in *RE* published in 1952, though agreeing with Mommsen's identification, is unfamiliar with the new date of the Consilium.

• Cn. Pompeius Cn. f., *CLU.* (31). Consilium 89, no. 30.

Cn. Pompeius Magnus, cos. 70, 55, 52; in 89 he was a tiro in his father's army.

• Sex. Pompeius Sex. f., *CLU.* Consilium 89, no. 31.

A cousin of the young Pompey, also serving as a tiro in the army of Pompeius Strabo. Neither he nor his father is known from other sources. Presumably a grandson of Cn. Pompeius of the Consilium of 129. See Cichorius' stemma, *RS* 166, which, as I have indicated in the discussion of Cn. Pompeius of the Consilium of 129, has to be corrected in view of the new date.

This Sextus Pompeius is not identified by Miltner in *RE* or included in the inadequate stemma, col. 2052, though he is mentioned incidentally under no. 19. As Syme has suggested to me, this Sextus Pompeius may be the ancestor of the consuls of 35 B.C. (*RE*, no. 19) and of 14 A.D. (*RE*, no. 62), both Sex. Pompeius Sex. f.

The name Pompeius indicates Osco-Umbrian origin, and Münzer, *RA* 48, suggested that they were old landholders in Picenum where Pompeius Strabo and his son had extensive estates. But the Clustumina tribe is unknown in Picenum. Noting A. Pompeius in the Clustumina as patron of Interamna Nahars in that tribe, Pais, *GP-CA* 677–94, suggested that the family came from Interamna N. or a neighboring town in the Clustumina. (On the probability of early enfranchisement in this region, see Chap. 7 with notes 14–19.) The suggestion is unlikely if Florus 2. 9. 27 refers to Interamna N., for Sulla would not have taken vengeance on the home of the young Pompey. It is possible that the Pompeii of Magnus' line came from one of the other settlements in the east Tiber valley in the Clustumina, perhaps Forum Novum in north Sabine territory, a citizen community probably from the third century.

? T. POMPEIUS T. f., *COR.* (22). Consilium 89, no. 17.

Tr. mil. ? See Cichorius, *RS* 150 f., for his association with the family of the next man. His identification with the T. Pompeius of Varro, *R.R.* 3. 12. 2, who had extensive property in Gallia Transalpina, and with the family of Pompeius Beginus or Reginus of Valerius Maximus 7. 8. 4, *vir Transalpinae regionis*, is proposed by Cichorius, who is followed by Miltner in *RE*. The identification is doubtful; in any case, I have been unable to relate it to the tribe recorded, for Regium Lepidum was in the Pollia. This man and the next, probably of the same family, may never have reached the senate.

? T. POMPEIUS T. f. LONGINUS, *COR.* (29). Consilium 49 b, no. 4.

Tr. mil., or perhaps of lower rank; probably son of the preceding man. The name, without tribe, appears in Consilium 49 a, no. 4, and there the mss. give the name as Πομπήιος, whereas in the second Consilium the name is Πήιος with the reading Πομπήιος in mss. F and L, taken, Niese states, from the text of the first Consilium. (The statements of Cichorius, *RS* 151, and of Miltner in *RE* do not accord with Niese's critical apparatus or with his text, in which he reads Πομπήιος in the first case, Πήιος in the second.) There are no other Pompeii Longini known in the republic, but the family appears in the empire. Pompeius

Longinus, tribune of a praetorian cohort, supported Galba (Tac. *Hist.* 1. 31), and a Cn. Pompeius Longinus is known under Domitian (*RE* 89, 90).

• Cn. Pompeius Crassi f. Magnus, *MEN.* (*PIR*[1] P 477). *CIL* 6. 31722 (*ILS* 955).

Quaestor ca. 44 A.D. Like his father, M. Licinius Crassus Frugi above, he has the tribe of the Calpurnii Pisones, the family into which the father was born. His name is omitted in *RE*, though he is discussed by Groag, s.v. "Licinius" 73, col. 340 f.

• Q. Pompeius Q. f. Rufus, *ARN.* (42). Consilium 73, no. 11.

Quaestorius in 73, pr. 63. Member of the family of the consul of 88, Q. Pompeius Q. f. Rufus, and probably of the family of the novus homo, Q. Pompeius A. f., cos. 141. Mommsen suggested (*Gesam. Schr.* 5. 510) that he was the adopted son of the consul of 88.

Pontia

L. Pontius Aquila, from Sutrium? *PAP.*? (17).

Tr. pl. 45. L. Pontius Aquila, a pontifex of Sutrium (*CIL* 11. 3254, col. II, 13) may, as Pais (*GP-CA* 1. 324, n. 1) and Münzer (*RE*) suggest, be identical with him. There is an L. Pontius P. f. in the same list of local pontifices.

Popillia

• P. Popillius P. f., *TER.* (29). Consilium 129, no. 32.
• Q. Popillius P. f., *ROM.* (30). Consilium 129, no. 37.

Either of these men, but probably not both, as Passerini and Volkmann (in *RE*) are disposed to assume, could be the son of P. Popillius C. f. P. n. Laenas, cos. 132. Since the praenomen Q. is unknown in the consular family of the Popillii, the probabilities are in favor of the first man.

Poppaedia

• C. Poppaedius Silo, from the Marsi, *SER.* (1).

Legatus 39–38. Probably the son of Q. Poppaedius Silo, commander of the Italians in the Social War. See Syme, *PBSR* 1 (1938) 21.

PORCIA

- M. PORCIUS M. f. CATO (9)
  and the
- PORCII CATONES, from Tusculum, *PAP.*

Cos. 195, censor 184. See Gelzer, *RE*, col. 108, for the abundant evidence for his Tusculan origin. In the Capitoline *Fasti* Cato's grandfather's praenomen is not given under the consulship, and is erased under the censorship, which means that the grandfather was not a citizen. See Cichorius, *RS* 126 f.; Degrassi, *Inscr. Ital.* 13. 1. 21 f.; Scullard, *RP* 111 n. 1; Fraccaro, *Opusc* 1 169 f. Fraccaro notes that Cato had Sabine property near the farm of M'. Curius Dentatus, doubtless in territory conquered by Curius, and suggests that the grandfather was a native of Sabine territory before it was fully enfranchised.

For the maintenance of association with Tusculum by Cato's descendants, see *Schol. Bob.* (on Cic. *Planc.* 19–20), p. 153 St.: ... Tusculani plurimum livoris naturaliter etiam circa municipes suos habuisse videantur; sic et M. Cato ille Censorius pro maligno et invido habitus est; nec aliter etiam Lucilius de eorundem moribus sentit hoc dicens: Prima Papiria Tuscolidarum (Lucilius 1259 M, see Marx's comment on the text). The line comes from the satire in which Lucilius ridiculed, one by one, the thirty-five tribes assembled in the comitia tributa (cf. Cichorius, *UL* 335–38 and Chap. 3 above with n. 4). The phrase *de eorundem moribus* suggests that Lucilius may have alluded to Porcii Catones of his day.

PORCII LAECAE and LICINI, from Tusculum? *PAP.*? (17–26).

According to Plutarch, *Cato Mai.* 1, the γένος of Cato Censorinus was said to come from Tusculum, but see evidence above on Cato's origin. Two other senatorial families of Porcii were contemporaries of Cato, the Laecae and the Licini. L. Porcius Licinus reached the praetorship in 207 before Cato had held office. Relationship among the lines is suggested by the common use of the praenomen Marcus, and by the use of Lucius among the Catones and the Licini, and there are also some indications of political association (Scullard, *RP* 151). But if the family came originally from Sabine territory, it is possible that the other branches remained there when Cato's family moved to Tusculum.

PROCILIA

- L. PROCILIUS, from Lanuvium, hence *MAE.* (2).

Tr. mon., dated by Sydenham, nos. 771–72, ca. 78–77. Possibly identical with, more probably closely related to, L. Pro-

cilius, tr. pl. of 56, the only other republican senator of this name known. The image of Juno Sospita on the denarii of the monetalis shows his association with Lanuvium.

PUBLICIA

• M. PUBLICIUS M. f. SCAEVA, *HOR.* (25). Consilium 73, no. 14.

Quaestorius. M. Publicius, who was legatus pro pr. under Cn. Pompeius in Spain in 46, may be this man or his son.

PUBLILIA

Q. PUBLILIUS Q. f. Q. n. PHILO, *POB.*? (11).

Cos. 339, 327, 320, 315, censor 332. Like the patrician senators presumably registered in the tribes that bore their names, this man, the only Publilius known when the Poblilia was established in 358, may have been registered in this tribe, the only one with a plebeian name. See Chap. 5.

PUPIA

• M. PUPIUS M. f., *SCA.* (7, cf. 8). Consilium 129, no. 3.

The praetorius of senior rank in the Consilium (unless the man identified as C. Laelius above was a praetorius). As Mommsen, Willems, and Passerini suggest, he may be the adoptive father of M. Pupius Piso, cos. 61, for the adoption took place when the elder Pupius was very old (*summa senectute*, Cic. *Dom.* 35). The adopted son was some years older than Cicero (Ascon. p. 15 C). See Drumann-Groebe, *Geschichte Roms* 2 (Leipzig 1902) 69 f. M. Pupius may have come from Velitrae.

QUINCTIA

M. QUIN(C)TIUS M. f. PLANCINUS, *POL.* (or *POB.*?). S.C. 44, no. 10.

Possibly a quaestorius. He is otherwise unknown, and the praenomen Marcus is not attested for the patrician house. A plebeian branch is known through L. Quinctius, tr. pl. 74, pr. 68. For the tribe, the mss. of Josephus vary between Πολλία and Ποπλία, which may mean that Quintius was in the Poblilia.

RABIRIA

• C. RABIRIUS C. f., *GAL.* (5). Consilium 89, no. 18.
Tr. mil.? Almost surely the C. Rabirius whom Cicero defended in 63 against the charge of *perduellio.*

RANCIA

• Q. RANCIUS Q. f., *CLA.* (1). S.C. 73, no. 2.
Quaestorius. On this rare name, attested in the republican senate only for this man, see Schulze, *LE* 281, n. 1.

RENIA

C. Renius, tr. mon., dated by Sydenham (no. 432) ca. 135–26, has been listed as from Lanuvium by some authorities because the female figure in a chariot drawn by goats on the reverse of his denarii has been interpreted as Juno Sospita. See Grueber, *CRRBM* 1. 121 f., who cites an inscription of a Rennius from Lanuvium. The inscription is not included by Dessau in *CIL* 14 either in the genuine or in the spurious inscriptions of the town. The type, Professor Alföldi assures me, does not belong to Juno Sospita.

RESIA

• T. RESIUS T. f., from Mevania, *AEM.* (2). *CIL* 11. 5029.
Legatus pro pr., late republic or early empire. The tribe is that of Mevania in Umbria, where the inscription was found. Resius was granted a burial place *ob plurima erga suos municipes merita.* Syme, *MSen* 68, suggests that he "may have earned . . . gratitude . . . when a land commissioner in the period between Caesar and Caesar Augustus."

ROMILIA

ROMILII, originally *ROM.*?
In the early republic members of this gens were presumably in the tribe that bore their name. The Romilia was in the ager Vaticanus, and the consul of 455, T. Romilius, has the cognomen Vaticanus. See Chap. 4 with notes 10–11.

ROSCIA

• L. ROSCIUS FABATUS, from Lanuvium, *MAE.* (15).

Tr. mon. ca. 58, pr. 49. His denarii (Sydenham, no. 915) have on the obverse an image of Juno Sospita. For the Lanuvine origin of the actor Roscius, see Cic. *Div.* 1. 79. For other Roscii in the Maecia, see *CIL* 2. 3439. L. Roscius Otho, tr. pl. 67, has the same praenomen, and may have belonged to the family of Lanuvium.

RUBRIA

• C. RUBRIUS C. f., *POB.* (1, cf. 9). Consilium 129, no. 15.

Praetorius. The tribe in A is *Pob.*, in B *Pup.*, and the former is shown to be right by the inscription from Lycaonia, *ILLRP* 341: C. Rubrio C. f. Pop. C. Rubrius Optatus patrono pietatis causa. Rubrius' high position in the list makes impossible the suggested identification with the tr. pl. of 122? (see *MRR*). I would identify him with the tr. pl. of unknown praenomen of 133 (*RE* 1).

—] SABINUS

P.[—] SABINUS, from Sabine territory? *QUI.*? or *SER.*? (Sabinus 30).

Tr. mon. ca. 100–97, according to Sydenham, no. 587. Possibly a Vettius Sabinus. The coins show no Sabine connections.

SAENIA

L. SAENIUS, from Saena?, *OUF.*? (1).

As senator in 63, he reported to the senate on a letter from Faesulae (Sall. *Cat.* 30. 1). The name, well attested in Florentia and elsewhere in Etruria (Schulze, *LE* 93), suggests a connection with Saena in the Oufentina. See next name.

L. SAENIUS L. f. (Balbinus), *OUF.*? (2).

Cos. suff. 30. Syme's suggestion, *MSen* 57, that he may be identical with the — —] L. f. Balbus, *Ouf.* of the S.C. of 35 (see above), is based on the possibility that this Saenius is the Balbinus, subsequently a consul, of Appian, *B.C.* 4. 50, and

that Saenius may have come from Saena, which was in the Oufentina (see the additional evidence for the tribe, *NSc* 1926, 169).

SALLUSTIA

• C. SALLUSTIUS CRISPUS, from Amiternum, hence *QUI.* (10). Pr. 46, the historian. On his origin, see Hieron. on 1931 Abr.

SANQUINIA

• Q. SANQUINIUS Q. f., *STE.* (3). *CIL* 6. 1323 (*ILS* 905 = *ILLRP* 443); *CIL* 11. 3755 add.

Pr., late republic. See *MRR*, Index. Both inscriptions, though published in different volumes of *CIL*, were found at Lorium on the Via Aurelia. Lorium itself was not organized as a community, nor was it probably in a region attributed to the Stellatina when the tribe was organized in 387 to the east of Veii.

SCRIBONIA

• C. SCRIBONIUS C. f. CURIO, *PUP.* (11). S.C. 51, no. 6.

Quaestorius in 51; tr. pl. suff. 50. See the fragmentary name at the end of the list.

SEMPRONIA

A. SEMPRONIUS A. f., *FAL.* (or *FAB.*?) (3). S.C. ca. 140, no. 3.

The Φα of the inscription is, in view of the tribe of the Sempronii listed below, almost certainly to be restored as *Fal.* The praenomen is found among the Aselliones and the Atratini, but the latter branch is unknown from the 5th-4th century until it was revived under the late republic (see L. Sempronius below). This man may be the father of the historian Sempronius Asellio who served under Scipio at Numantia (*RE* 16; see *MRR* 1, p. 491).

• C. SEMPRONIUS C. f., *FAL.* (6). Consilium 129, no. 9 (24 in A).
• C. SEMPRONIUS CN.? f., *FAL.* (5). S.C. ca. 126, no. 2.

The first, if we can trust the order of B, was a praetorius of some years' standing in 129. The second man appears as the second of two witnesses, the first of whom, L. Manlius L. f. (see above) was not a consularis. The praenomen of the father of

this C. Sempronius is given in the mss. of Josephus as Πεννάιου, Πεννέου (with slight variation in spelling), apparently corruptions of Gnaeus, but there is probably a mistake, for Gnaeus is unknown as a praenomen among the republican Sempronii. The two names may well belong to the same man. Gaius is used as a praenomen by the Sempronii Gracchi, Longi, and Tuditani of this period. Since identification with the known Gracchi and Tuditani is impossible, I suggest that he is a Longus, perhaps a son of C. Sempronius Longus who succeeded his father as decemvir s. f. in 174; perhaps also this C. Sempronius is the father of the legatus C. Longus ca. 96 (*RE* 63, 64; see *MRR* on 96).

• L. SEMPRONIUS L. f., *FAL.* (26). S.C. 25 b, no. 3.
L. Sempronius Atratinus, cos. suff. 34.

SENTIA

? C. SENTIUS C. f., *SAB.*? (4) Consilium 49 a, no. 7.
Probably tr. mil. 49, but Gronovius' suggestion (see Niese's text of Joseph. *Ant.* 14. 229) that there is a lacuna in the mss. is likely. The Sabatina may be taken from the name of C. Pompeius C. f. Sab., Consilium 49 b, no. 9 (Joseph. 14. 239). He was probably not an officer. Münzer's tentative identification of Sentius with Sentius Saturninus Vetulo, legatus 40, is uncertain.

SEPTIMIA

• C. SEPTIMIUS T. f. *QUI.* (7). S.C. 51, no. 4.
Pr. 57. The tribe is that of the chief Sabine region and, as Syme has suggested to me, this man may belong to the family of T. Septimius Sabinus (*RE* 50), curule aedile of the early empire (*ILS* 5921).

SERGIA

SERGII, originally *SER.*?
In the early republic members of this gens were presumably registered in the tribe that bore their name. See L. Sergius Fidenas below.

• L. SERGIUS L. f. (Catilina), *TRO.* (23). Consilium 89, no. 46.
A tiro in Strabo's army, almost certainly to be identified with L. Sergius Catilina, pr. 68.

L. SERGIUS C. f. C. n. FIDENAS, *SER.*? (25). Cf. Livy 4. 30. 5.

Cos. 437, 429; tr. mil. c. p. 433, 424, 418; member of commission in 428 to investigate participation of the Fidenates in Veientane incursions into Roman territory. See Chap. 4 with n. 18 for the suggestion that his property was in the Sergia.

• L. SERGIUS REGIS f. PLAUTUS, *ARN.* (37). *CIL* 2. 1406 (*ILS* 2922).

A quaestor of the early empire, perhaps identical with the Stoic philosopher of the same name; his office as salius Palatinus shows that he was a patrician, and his praenomen is a favorite one in the old patrician family. The cognomen Plautus is not attested for the patrician Sergii, though it is a not unlikely emendation for Plancus, the cognomen given in the cod. Bambergensis for C. Sergius in Livy 31. 4. 4 and 6. 2 (*RE* 36).

SERTORIA

• Q. SERTORIUS, from Nursia, hence *QUI.* (3). Plut. *Sert.* 2.

Pr. between 86 and 84.

SERVILIA

? C. SERVILIUS C. f. BROCCHUS, *TER.* (39). Consilium 49 a and b, no. 5.

Tr. mil. 49.

Q. SERVILIUS P. f. SP. n. PRISCUS FIDENAS, *SER.*? (75).

Dictator 435, 418; member of commission in 428 to investigate the participation of the Fidenates in Veientane incursions into Roman territory. See Chap. 4, with n. 18, and L. Sergius Fidenas above, for the suggestion that his property was in the Sergia.

SERVIA

• L. SERVIUS RUFUS, from Tusculum, hence *PAP.* (6).

Tr. mon. ca. 43, Sydenham, no. 1081–82. The jugate heads of the Dioscuri on the obverse and the gateway inscribed TUSCUL on the reverse of his aurei show his origin from Tusculum. See Syme, *MSen* 69. There is no basis for the persistent attribution of this man in numismatic handbooks to the gens Sulpicia.

SESTIA

• P. SESTIUS L. f., *COL.* (6). S.C. 39, no. 2, cf. S.C. 35, no. 7. Tr. pl. 57, defended by Cicero 56; later pr.

SESTUILLIA

P. SESTUILLIUS P. f., *OUF.* or *TRO.* (Sextilius 14). S.C. 39, no. 8.

Quaestorius? Of the tribe there remain on the stone the letters]εντίνα. The name, which appears in the form Σηστυίλλιος, is, as far as I know, otherwise unattested. Schulze, *LE* 594 (add. to 407), describes it as "merkwürdig." Münzer in *RE* equates it with Sextilius, partly perhaps on the basis of the variations in the name of a Sextilius or Sestul(l)ius Andro in the mss. of Cicero's *Pro Flacco* 84, 89 (and in the *Schol. Bob.*, 106 St. See Sextilius, no. 18, *RE*).

SEXTIA

M. SEXTIUS SABINUS, from Sabine territory?, *SER.*? or *QUI.*? (35). Pr. 202.

SILIA

• P. SILIUS L. f., *GAL.* Consilium 129, no. 24.

Several Silii, including two others with the praenomen Publius, are known in the republican senate. In B the tribe is mistakenly given as Οὐαλερία.

STAIA

L. STAIUS MURCUS, from Bovianum Vetus?, *VOL.*? (2).

Legatus of Caesar 48. The nomen is Oscan (see Münzer, *RE*) and also perhaps Sabellic. He has often been identified with L. Staius Sex. f. Murcus whose name occurs in an inscription found near Sulmo in the Paeligni (*CIL* 1^2. 796 = *ILS* 885 = *ILLRP* 444), but Degrassi doubts the identification. Syme, tentatively accepting the identification, suggests (*RR* 91) that since there were no Paelignian senators before Augustus (*ILS* 932), this man

may come from the neighboring Marsi, where a nomen Sta . . occurs in *CIL* 1^2. 387. But it seems to me more likely that Staius came from Bovianum Vetus in the Voltinia in whose vicinity a local magistrate, a meddix tuticus with the nomen Staiis, is recorded on an Oscan inscription (Conway, *Italic Dialects* [Cambridge 1897] 1. no. 174, cf. 172, 173) and where in an Oscan inscription on a tile the abbreviated form Sta is used as the name of a meddix (Maiuri, *NSc.* 1913, 480–82; cf. L. Sta . . . on another tile). See also the use of Staius as a praenomen in *CIL* 9. 2791. Cf. Münzer, *RE.* These inscriptions indicate an old family of importance in Bovianum Vetus, and a member of it may have been brought into the senate by Caesar.

STATILIENA

• Q. STATILIENUS Q. f., *COR.* (1). S.C. ca. 140, no. 1.

The only known bearer of this name, which belongs to a type that is particularly common in Picenum and Umbria. Perhaps he was a native of Fulginiae, a praefectura in Umbria, in the Cornelia, which received citizenship before the Social War. Of the tribe the letters -νηλία are preserved on the stone.

STATIA

STATIUS, the Samnite, *VOL.*? (1). Appian, *B.C.* 4. 25.

Senator after 87, possibly before Samnium had been enrolled in the Voltinia, but he would probably have secured registration in the tribe of his people. On him, see Gabba, *Athen* 29 (1951) 264.

SULPICIA

• SER. SULPICIUS C. f. (Galba), *ANI.* (60). Consilium 89, no. 4.

Legatus of praetorian rank. The name, of which only *-cius C.f. Ani* is preserved, was ingeniously and convincingly restored by Cichorius (*RS* 136–39) from Orosius 5. 18. 25, where a Sulpicius is named as legatus of Pompeius Strabo (cf. Livy, *Per.* 73, 76). Cichorius argued that the man could not be a Sulpicius Rufus, since that line belonged to the Lemonia and did not use the praenomen Gaius. Further basis for his assignment of this man to the other line of the Sulpicii, the Galbae (see Münzer, *RE*), is to be found in the fact that a Galba was legatus of Sulla in the East. The Sulpicii Galbae seem to have been descend-

ants of P. Sulpicius Saverrio, cos. 304 (see no. 97, *RE* and the stemma, col. 753 f.), who, according to Livy 9. 45. 9, joined with his colleague P. Sempronius Sophus in the war against the Aequi. (Diodorus, 20. 101. 5, supported by the *Fasti triumphales*, mentions Sempronius alone.) Sulpicius Saverrio and Sempronius Sophus were the censors under whom the Aniensis was established in 299. Perhaps Sulpicius acquired land in the tribe when it was organized.

It is of interest that the Galbae had long term association with Tarracina in another tribe, the Oufentina. The consul Ser. Sulpicius Galba (of 144 or of 108) was responsible for building there (*CIL* 1^2. 694), and the emperor Galba was born in a villa near the town (Suet. *Galba* 4).

• SER. SULPICIUS Q. f. RUFUS, *LEM.* (95). Cic. *Phil.* 9. 15.

Cos. 51. He is obviously the consularis in the S.C. of 44, no. 2. His name appears in the text of Josephus as Σερουίνιος Παπείνιος Νεμωνία (with variations noted by Niese). The corruptions make one wary of the other names given by Josephus.

TARQUITIA

? C. TARQUITIUS L. f., *FAL.* (8). Consilium 89, no. 37.

A tiro serving under Pompeius Strabo. He was identified by Cichorius (*RS* 167) with Tarquitius Priscus, legate of Sertorius. C. Tarquitius P. f., quaestor 81, had a different father but may have belonged to the same familia. If the man in the Falerna is a Tarquitius Priscus, he himself or an ancestor had perhaps been enfranchised in that tribe from an allied town in Etruria. The best known republican Tarquitius Priscus is the specialist in the Etrusca disciplina (Kroll, *RE*, no. 7) whose name has been convincingly restored by Bormann in the inscription of Tarquinii, *CIL* 11. 3370 (*ILS* 2924). See also 11. 7566 with Bormann's later restoration, *Oester. Jahresh.* 2 (1899) 129–36, where he argues from a Tarquitia Prisca of Veii and Tarquitii in Veii's tribe, the Tromentina, that that tribe should be restored in the inscription of Tarquinii. J. Heurgon in his important article, *Latomus* 12 (1953) 402–415, would restore the tribe of Tarquinii, the Stellatina, a more likely restoration if the man in the Falerna was an enfranchised Tarquitius Priscus. While the ager Veiens had long been Roman, the territory of Tarquinii seems to have been allied until the Social War, and a Tarquiniensis might have acquired citizenship in the Falerna or any other rural tribe. For a Tarquitius Etruscus in the Pomptina, the tribe of Volsinii and

Arretium in Etruria, see the scriba quaest. of Rome (*ILS* 1887) with the name L. Tarquitius L. f. Etruscus Sulpicianus.

TEDETIA

• P. TEDETIUS L. f., *POL.* (1). S.C. 44, no. 4.

Probably praetorius. The name is otherwise unknown in the republican senate, and the identity of the tribe led Cichorius (*RS* 153) to place him in the family of M. Teiedius below. But Münzer, in *RE*, notes the name Teditiu(s) on a republican boundary stone from the ager Falernus (*CIL* 1^2. 400 = *ILS* 5943 b).

TEIDIA

? P. TEIDIUS P. f., *POM.* (1). *CIL* 1^2. 665 (*ILS* 4054).

He was initiated into the Samothracian mysteries, probably in the second century. His name follows that of L. Furius Crassipes (see above). It is uncertain whether he was a senator, but his tribe may be that of Sex. Teidius (no. 2, *RE*) who was a senator in 52. On the name, see Schulze, *LE* 251, n. 4; Conway, *Italic Dialects* 2, p. 586.

TEIEDIA

? M. TEIEDIUS M. f., *POL.* (1). Consilium 89, no. 20.

Tr. mil.? For this type of name, particularly common in the central Apennines, see C. Didius above. There were towns in that region in the Pollia—for instance, Fanum Fortunae, Forum Semproni, and Ostra, all of which had citizenship before the Social War.

TERENTIA

• M. TERENTIUS VARRO, from Reate, *QUI.* (Suppl 6. col. 1172 ff.).

Pr. after 76. On his origin from Reate, see Sym. *Ep.* 1.2; cf. Varro, *R.R.* 2. 8. 3. His tribe is attested by the fact that he was a *tribulis* of Q. Axius (*R.R.* 3. 2. 1) in the Quirina (see above). Cichorius, *RS* 189–91, argues that Varro was descended from the first known bearer of the name, C. Terentius C. f. M. n. Varro, consul 216, the man held responsible in the aristocratic historical tradition (but not among his contemporaries) for the defeat

at Cannae. Much is said in the sources of this Varro's low birth (see Münzer, s.v. "Terentius" 83, *RE*), but there is not a word to imply that he was of non-Roman origin, a detail that his detractors would have been ready to seize upon. The original tribe of the family may have been the Papiria (see next name) and the antiquarian's family may have settled at Reate.

• M. ? TERENTIUS ? M. f. VARRO, *PAP.* (86). S.C. 25 b, no. 4; 25 c, no. 6.

Praetorius? His praenomen is lost and only the letters ιος remain of his nomen. On his identity, see Fluss, *RE.*

TEUTIA ?

? C. TEUTIUS C. f., *AEM.* (1). Consilium 49 b, no. 7.

Tr. mil., listed as χιλίαρχος. The nomen, given in one ms. as Τέττιος, may be corrupt.

THORIA

• L. THORIUS BALBUS, from Lanuvium, hence *MAE.* (4).

Tr. mon. ca. 100–95 (Sydenham, no. 598); legatus 79. The head of Juno Sospita on the obverse of his denarii is accompanied by the familiar title of the great goddess of Lanuvium, I(uno) S(ispes) M(ater) R(egina). His origin from Lanuvium is also attested by Cicero, *Fin.* 2. 63.

TITINIA

• Q. TITINIUS, from Minturnae, *TER.* (17).

Iudex, hence senator, in 70, Cic. *Verr.* II. 1. 128. For his association with the region of Minturnae, see Cic. *Att.* 7. 18. 4, with Münzer's discussion, *Röm.Mitt.* 50 (1935) 321 f. Nine slaves and freedmen of Titinii are named in the inscriptions of the republican magistri of Minturnae. See *CIL* 1^2, p. 849.

TITIA

? SEX. TITIUS, *AEM.* (cf. 24). *IGRRP* 1. 1024.

Extitius, an otherwise unknown nomen of a quaestor of 43 (Cic. *Phil.* 13. 28), has often been emended to Sex. Titius. If

this emendation is correct, he may, as Münzer suggests, be the father of M. Tittius Sex. f. Aem. of *IGRRP* 1. 1024, an important Roman, honored by the Jewish community of Berenice in the Cyrenaica. But the spelling of the name is different.

TITURIA

L. TITURIUS L. f. SABINUS, from Sabine territory?, *SER.*? (2).
Tr. mon. ca. 88 (Sydenham, nos. 698–701), legatus, 75. The Sabine connections of the family are shown by the head of Titus Tatius, which suggests Cures as the place of origin, and by representations of Tarpeia and the rape of the Sabines on the coins. But note *CIL* 6. 27539, L. Titurius Vib. f. Arn. Sabinus.

Q. TITURIUS SABINUS, from Sabine territory, *SER.*? (3).
Legatus 58?, 57–54. Perhaps a son of L. Titurius above.

TONGIA?

? T. TONGIUS T. f., *CLU.* (1). Consilium 49 a and b, no. 2.
Tr. mil.? The name, depending on the corrupt text of Josephus, is suspect.

TREMELLIA

• L. TREMELLIUS CN. f., *CAM.* (6). S.C. 135, no. 1.
Probably identical with L. Tremellius Scrofa, pr. ca. 136.

TULLIA

• M. TULLIUS M. f. CICERO, *COR.* (29). Consilium 73, no. 9.
Quaestorius 73; cos. 63. The Cornelia is the tribe of Cicero's native town Arpinum.

• M. TULLIUS M. f. CICERO, from Arpinum, *COR.* (30).
Cos. suff. 30. He took the toga virilis at Arpinum in 49 (Cic. *Att.* 9. 6. 1), and served as aedile there in 46.

• Q. TULLIUS M. f. CICERO, from Arpinum, *COR.* (31).
Pr. 62. Like his brother, he had a house at Arpinum, and maintained connections there. See also *ad Q. fr.* 3. 1. 1, *Philotimo tribulibus commendatis.*

M. Tullius M. f. Maecia Cicero, eq. R., patron of the colony, is recorded in two imperial inscriptions of Paestum, which was in the Maecia. See *CIL* 10. 482–83 (*ILS* 6448–49).

—] Tullius Rufus, *STE.*? (49).

Quaestor before 46. His tribe may be identical with that of C. Tullius C. f. Ste. Rufus, *CIL* 6. 27739.

Valeria

? L. Valerius Antias, from Antium, hence *VOT.*? (99).

Legatus or praef. cl. 215. On the original tribe of Antium, see Appendix.

L. Valerius Flaccus is named without tribe as a duumvir i. d. of Pompeii (1–2 A.D.) in *CIL* 10. 884, 891. We cannot assume that the republican and early imperial Valerii Flacci were in the Menenia, the tribe of Pompeii. See Chap. 15, with n. 24.

Q. Valerius Q. f. Orca, from Sora? *ROM.*? (280).

Pr. 57. Almost certainly son of Q. Valerius Soranus below.

L. Valerius Poplicola Balbinus Maximus, *CLA.* (303). *CIL* 6. 1531 = 31673 (*ILS* 1190); *CIL* 6. 1532 (*ILS* 1191).

Cos. 253 or 256 A.D. See Degrassi, *I fasti consolari dell'impero romano* (Rome 1952), under the years. Mommsen, *RSt* 3. 789, n. 2, lists the inscriptions as possible evidence for the tribe of the patrician Valerii of the republic. But the evidence is very doubtful.

• Q. Valerius Soranus, from Sora, hence *ROM.* (245).

Tr. pl. not later than 82. Cicero's reference to him and his brother as *vicini et familiares mei* (*Brut.* 169) confirms his origin from Sora whose territory bordered on that of Arpinum. As Cichorius pointed out in his important biographical article on Valerius Soranus (*Hermes* 41 [1906] 59–68, esp. 67, n. 1), association as neighbors may account in part for the fact that Soranus was a Marian. For another man with the cognomen Soranus in the Romilia, see *CIL* 6. 14313. Valerius Soranus may well have acquired citizenship as a local magistrate before the Social War, and the Romilia may have been assigned earlier to Sora, a Latin colony. See Chap. 8 with notes 18–23.

Valerii Triarii, from Fundi? *AEM.*? (363–67).

An aedile of Fundi, which was in the Aemilia, C. Valerius C. f. Triarius (*CIL* 1^2. 1560 = *ILS* 5325) may be identical with,

or closely related to, one of the men of the same name, known in the late republic, a legate of Lucullus in 73–66, and a friend of Cicero, praef. cl. under Pompey 49–48.

VALGIA

Q. VALGIUS M. f., *AEM.*?, *COR.*?, *POP.*?, or *ROM.*? Consilium 129, no. 6.

Praetorius. Omitted in *RE*, vol. 15 A, published in 1955. See Syme, *Historia* 5 (1956) 206. The only other republican senator of this name is the man of unknown rank whose sons are mentioned under the year 45 in *Bell. Hisp.* 13. This unusual name has provided one of the arguments that the Consilium was made up of knights as well as senators, but Valgius' high position on the list shows that he cannot be a knight. Of the tribe, all that remains are the last letters -λια in A. For a Valgius in the Menenia, see *CIL* 6. 28302.

VARIA

? T. VARIUS T. f. SABINUS, from Sabine territory? *SER.*? or *QUI.*? *SEG* 1. 165.

Honored in Delphi when he was there with the governor of Macedonia Plaetorius, 63–62. See Syme, *Historia* 5 (1956) 207. Not in *RE* or *MRR*. His senatorial status is uncertain.

VATIENA

? P. VATIENUS P. f., *QUI*. *Bull. Com.* 56 (1928) 293.

Recorded in a republican sepulchral inscription from Rome (now in Prague): P. Vatienus P. f. Quireina locum dedit lieberteis (*sic*) et leibertabus, in fro. p. xiiii, in agr. p. XIIX. The inscription, omitted in *CIL* 1^2 and 6 and in *Ann. Epigr.*, is cited by Syme, *Historia* 5. 208, where a fuller treatment is promised. Syme also cites *CIL* 6. 39023, P. Vatienus P. l. The P. Vatienus in the Quirina must belong to the family of P. Vatienus of Reate who was famous for a vision that revealed the victory at Pydna. He is mentioned by Cicero, *N.D.* 2. 6; 3. 11 and 13, and by Valerius Maximus, 1. 8. 1., and Lactantius 2. 7. 10. The mss. reading in the first two passages in Cicero and in Lactantius is Vatienus (Vatieno); in the third passage of Cicero it is Vatinius, and that is the reading of most mss. of Valerius Maximus, with the variant Vacienus. Editors of Cicero, except for A.S. Pease (see his Harvard

edition, 2 [1958], p. 555), and of Valerius Maximus (but not Brandt in his text of Lactantius) accept the reading Vatinius and identify the Reatinus as the grandfather of P. Vatinius, cos. suff. 47 (*N.D.* 2. 6, *avus huius adulescentis*), who would have been about twenty at the dramatic date, ca. 76 B.C., of the *De Natura Deorum*. But as Syme also notes, the name Vatienus is found in *CIL* 1^2. 821, (*ILLRP* 384), [*Corn*]elia L. Scipion[*is f.*] Vatieni. Mommsen (quoted in *CIL*) pointed out that the name confirmed the better attested reading Vatienus in Cicero. The P. Vatienus in the tribe of Reate and the fact that P. Vatinius was in the Sergia make the reading sure. The suggestion in the notes in *CIL* and *ILLRP* that Cornelia was the daughter of L. Cornelius Scipio Asiaticus, cos. 83, is likely in view of the dramatic date of the *De Natura Deorum*. (A daughter of his married P. Sestius, tr. pl. 57. See Cic. *Sest.* 7; *RE* s. v. "Cornelius" 416.) I would identify the P. Vatienus P. f. Qui. and the husband of Cornelia with the grandson of the Reatinus, P. Vatienus. In spite of the exile of his father-in-law, his marriage into the house of the Scipiones would have opened a senatorial career to him.

VATINIA

• P. VATINIUS P. f., *SER.* (3). Cic. *Vat.* 36.

Cos. suff. 47. He is mistakenly identified by editors of Cicero and by H. Gundel, *RE*, nos. 1 and 3, with P. Vatienus above. The omission of his grandfather's praenomen in the triumphal *fasti* of 42 (see under M. Porcius Cato above) shows that the grandfather was a peregrinus, probably an Italian whose son, Vatinius' father, was enfranchised after the Social War. The Sergia tribe was assigned at that time only to two peoples in Italy, both of which had been in the revolt, the Marsi and the Paeligni. Since there were no Paelignian senators before Augustus (*ILS* 932), Vatinius must have come from the Marsi. There is no clue for specific association with any people in Cicero's comment on the voters in the Sergia, which Vatinius failed to carry in his contest for the aedileship (*Vat.* 36): sciasne te severissimorum hominum Sabinorum, fortissimorum virorum Marsorum et Paelignorum, tribulium tuorum, iudicio notatum, nec post Romam conditam praeter te tribulem quemquam tribum Sergiam perdidisse?

VELLEIA

• C. VELLEIUS, from Lanuvium, hence *MAE.* (1).

Senator by 77, perhaps earlier. See *MRR* 2, p. 474. Municeps of the actor Q. Roscius (Cic. *N.D.* 1. 79), who was a native of Lanuvium.

VENTIDIA

• P. VENTIDIUS P. f., from Asculum, *FAB.* (5).

Cos. suff. 43. According to Velleius (2. 65. 3), Gellius (15. 4. 3) and Dio (43. 51. 4), he was a Picene, and Gellius associates him with Asculum: matrem eius a Pompeio Strabone . . . bello sociali quo Asculanos subegit captam cum ipso esse. The omission of his grandfather's praenomen in the triumphal *fasti* shows that the grandfather was not a citizen, and the allied city Asculum, which was enrolled in the Fabia after the Social War, is a likely place of origin. The suggestion that he came from Auximum, where there were Ventidii in the time of the Social War (Plut. *Pomp.* 6; see Syme, *RR* 92), is improbable, since Auximum had long had citizenship. Evidently, from the inclusion of the father's praenomen in the *Fasti*, the father also received citizenship. See L. Cornelius Balbus above. The question whether Ventidius is the Sabinus referred to in Cic. *Fam.* 15. 20. 1 (see above Chap. 12, n. 36) has no bearing on his place of origin.

VERRES

C. VERRES, *ROM.* (1). Cf. Cic. *Verr.* I. 23.

Pr. 74. The tribe is assigned not to Verres himself, but to a member of his family: fortem amicum ex eadem familia Q. Verrem Romilia ex optima divisorum disciplina, patris istius discipulum atque amicum. Syme, *MSen* 71, notes that the tribe may not be that of C. Verres, but, as elsewhere, may be " used to avoid possible confusions. " But the text seems to me against such an interpretation here. Cicero is discussing Verres' efforts to defeat him for the aedileship, and reports that the *divisores omnium tribuum* were summoned to Verres' home and were promised all the money they desired if they accomplished that end; most of the divisores refused the offer, but Q. Verres of the Romilia tribe, a relative of C. Verres, set a figure for which he would bring about the defeat. The emphasis on the tribes leads naturally to the specification of the accommodating divisor's tribe, and the whole passage has more point if it was also C. Verres' tribe, which everyone would have known. Perhaps Verres had property in the territory of Sora (see above on Valerius Soranus); in that case, it was close to Cicero's estate at Arpinum. The small number of citizens in the Romilia, and their concentration at Sora, must have made this tribe particularly easy to control.

VETTIA

T. VETTIUS SABINUS, from Sabine territory? *SER.*? (14).

Tr. mon., dated by Sydenham, no. 905, ca. 60, by Pink, no. 66, 80–70. Perhaps identical with T. Vettius, q. 73 (on whom see Syme, *MSen* 71) and also the T. Vettius who was pr. 59 (see *MRR*). But there may have been two or more T. Vettii in the period. Association with Cures in the Sergia is suggested by the image of Titus Tatius on the coins. See P. Sabinus above.

VETURIA

VETURII (Voturii), originally *VOT.*?

In the early republic members of this gens were presumably registered in the tribe that bore their name. For a possible shrine of the Veturii in the Voturia tribe, see Chap. 4 with n. 24.

? TI. VETURIUS T. f., *VEL.* (7). Consilium 89, no. 52.

The praenomina led Münzer, *RA* 132, and Cichorius, *RS* 177, to associate him with the patrician Veturii, but he may have belonged to a branch which had settled in Picenum. The triumvir monetalis Ti. Vetu(*rius*) with whom Münzer suggests identifying him is dated by Sydenham (nos. 527–28) ca. 110–08, by Pink (no. 22) before 119.

VIBIA

C. VIBIUS C. f. C. n. PANSA CAETRONIANUS, from Perusia?, *TRO.*? (16).

Cos. 43. His Etruscan and Perugian origin has been deduced from the Etruscan character of the cognomen Caetronianus and from the inscription of a Vibius Pansa in the tribe of Perusia, the Tromentina: *CIL* 11. 1994, Vel Vibius Ar Pansa Tro. (for L. Vibius from Rome in the same tribe, see *CIL* 6. 28774). Schulze, *LE* 268, n. 4, cites a Pansa with another tribe (*CIL.* 6. 3542, C. Vibius T. f. Clu. Pansa). Some connection of the Pansae with Tarracina is suggested by the image of Jupiter, inscribed IOVIS AXUR, on denarii of the consul of 43 (Sydenham, no. 947, dated ca. 48), but he is probably to be assigned to Perusia. The monetalis C. Vibius C. f. Pansa who issued coins from an Italian mint in the eighties (Sydenham, nos. 683–90, places him in 89–88) was perhaps his father. From the name it is clear that the family acquired citizenship before Perusia was enfranchised.

VILLIA

• L. VILLIUS L. f. ANNALIS, *POM.* (7). S.C. 51, no. 3.
Pr. before 57. See *MRR* 2, pp. 246 f.

VINICIA

VINICII, from Cales?, *POB.*? Cf. Tac. *Ann.* 6. 15.

Tacitus, speaking of M. Vinicius, cos. 30 A.D., son of P. Vinicius, cos. 2 A.D., and grandson of M. Vinicius, cos. suff. 19 B.C., says: Vinicio oppidanum genus; Calibus ortus, patre atque avo consularibus, cetera equestri familia erat. The two senatorial Vinicii before 30 B.C., L. Vinicius, tr. pl. 51 and L. Vinicius M. f., cos. suff. 33, may be from a collateral line of the same house from Cales.

VISELLIA

• C. VISELLIUS C. f. VARRO, *QUI.* S.C. 73, no. 3.

Quaestorius 73; aed. cur. ca. 59. Son of a sister of Cicero's mother (see Helvius 19, *RE*). The name is puzzling, because his father C. Aculeo, mentioned without nomen (Cic. *De Or.* 1. 191; cf. 2. 2), has a different cognomen. Drumann, *Gesch. Roms* 5. 228 (with Groebe's notes) suggested that there had been an adoption, and was inclined to believe that the son was adopted by a C. Visellius Varro. But the cognomen Varro is known at this period only among the Terentii Varrones, and it is noteworthy that C. Visellius Varro is in the tribe of M. Terentius Varro. It seems to me likely that a C. Visellius Aculeo adopted a son of the Terentii Varrones of Reate, and that the adopted son retained both the tribe (see Chap. 15) and the cognomen of this original family. The normal procedure in such cases was to use the cognomina of both families, e.g. Varro Lucullus, Metellus Scipio, Piso Frugi.

VOCONIA

• Q. VOCONIUS SAXA, from Aricia, *HOR.* Cic. *Phil.* 3. 16.
Tr. pl. 169. See Atinii Labeones above.

VOLUMNIA

• L. VOLUMNIUS L. f., *ANI.* Consilium 89, no. 14.

Tr. mil.? See Cichorius, *RS* 150. Other Volumnii, including a Lucius, senator ca. 50, are known in the republican senate. See *MRR*, Index, but cancel C. Volumnius C. f. Men., who is cited from the Consilium of 129 where he does not occur.

VOLUSCIA

• L. VOLUSCIUS L. f., *ARN.* Consilium 73, no. 6.

Perhaps aedilicius. The only man of this name known in the republican senate. Schulze relates it to the Volsci (Greek Οὐόλουσκοι) or possibly to the name Volusenna, and cites it elsewhere only in three inscriptions from Rome, Atina, and Sicily (*LE* 523, n. 2).

Fragmentary Records, alphabetized by Tribes

The dots in the names do not represent the number of letters lost, for which the information is, in general, not available.

.....]ilius Sex. f., *CAM.* Consilium 129, no. 50

The praenomen of the father is used by the Atilii, the Lucilii, and the Quinctilii.

.....] *CLU.* S.C. 25 c, no. 5?
.....] L. f., *COR.* S.C. 112, no. 3.
.....] f., *LEM.* Consilium 129, no. 36
.....] *MAE.*? Consilium 129, no. 38
.....] Q. f., *OUF.* Consilium 129, no. 41
..... P. f., *PAP.* S.C. 112, no. 4
C. [.....] L. f., *POB.* S.C. 78, no. 2
.....] M. f., *PUP.* Consilium 129, no. 34
P. [.....] *SAB.* Consilium 129, no. 54
? .....] *SUC.* Consilium 89, no. 16

Tr. mil.? Perhaps, from his low position on the list of military tribunes, from an equestrian rather than a senatorial family. See Cichorius, *RS* 150. This is the only instance of an individual in the Suburana tribe known in the republic.

.....] *TER.* Consilium 129, no. 43
.....] *VEL.* Consilium 129, no. 52

Uncertain Tribe and Name. S.C. 80.

For the fragmentary name and tribe in this document I am indebted to one of the editors, M. Jean Pouilloux, who sent me a transcription of the text more than two years before it was published, to Professor Emilio Gabba, who made a constructive suggestion on interpretation, and to Professor Sterling Dow, who examined the published text and photograph. The text on witnesses, lines 5–6, is given as follows by the editors:

[1–2 l.] μητηρίωι · γραφομένω[ι π]αρῆσαν Γά[ιος [3]

[2–3 l.] ετινας Κουρί[να.

In line 6 to the left of the ε of -ετινας the editors indicate the upper part of a vertical stroke.

As one may judge from the practically certain restoration of Sulla's name in line 1, there is sufficient space in line 5 to restore a nomen, followed by the father's praenomen in the genitive with υἱός but insufficient space for the tribe and the praenomen of a second name. Clearly Γά[ιος — — υἱὸς . . .]ετινας Κουρι[is the first witness named and the only name of which significant traces remain.

The editors' restoration of Κουρι[as the Quirina tribe, which I accepted originally (see S.C. 39 for this form of the more usual Κυρ(ε)ίνα), presents two difficulties, first the lack of cognomina which in Greek would have the ending -ετινας (or -ετινα) and second the lack of parallel in S.C. and Consilia for the placing of tribe after cognomen. (For that order in a republican Latin inscrip-

[3] For the restoration of]μητηρίωι, line 5, obviously the building, a *templum*, where the senate met, the editors cite, without committing themselves (p. 42), a suggestion I made in a letter to M. Pouilloux, αἰχ]μητηρίωι which, I held, might be the name of the temple of the spear-bearing goddess Bellona. But the available space, as is clear from the statement of the editors and also from the photograph (here again I depend on Professor Dow), would permit only one letter or two if one of them was an iota. I now suggest τι]μητηρίωι as a term for a temple of Honos. For Honos as Τιμή see Dio 54. 18. 2 (Δόξα in Plutarch, *Marcellus* 28). For the adjective τιμητήριος in a different sense see Julian, *Or.* 177 a. There was a temple of Honos at the Porta Collina and two temples of Honos and Virtus, one at the Porta Capena, the other at some site below the Arx. The last named was a dedication of Marius after his victories over the Cimbri and Teutones. This temple is the only one of the three mentioned as the site of a senatorial meeting, for which a large building would have been necessary. In it was held the full meeting of the senate which voted on the recall of Cicero from exile (Cic. *Sest.* 116; *Planc.* 78; *Div.* 1. 59). For the evidence for these temples, see Platner-Ashby, *Topographical Dictionary of Ancient Rome* (London 1929) 258–60.

tion, see *CIL* 1². 1761, where the name is interrupted by verse.) The difficulties are removed by a suggestion made to me by Professor Gabba that]ετινας is the name of a tribe and Κουρι[a cognomen. For the -ας ending, probably a nominative, in Greek versions of tribal names, compare Κρυστομίνας in S.C. ca. 164 and Στηλατίνας and Ποπιλίας in S. C. 175–60. The only tribe with the ending -etina and not more than three letters before the ending is Teretina, which appears in Greek as Τηρητ(ε)ίνα or Τηρειτ(ε)ίνα but never as Τηρετίνα. Corruptions are, however, frequent in Greek transliterations of Roman tribes. It is also possible that, with suppression of ν (compare the insertion of ν in Τηρηντίνα[4] in Consilium 73), the tribe may be Oufentina, Greek Ὠφεντ(ε)ίνα (see *OGIS* 480 with Dittenberger's note for other forms) or Pomptina, which appears as Πωμεντ(ε)ίνα in the Consilia of 129 and 73. The last named is the most likely tribe if the stroke noted by the editors before -ετινας is vertical, for in that case the tribe could be restored as Πω]μετίνα. But, as Professor Dow points out, the stroke seems from the photograph to be curved. I believe that -ετινας belongs to one of these three tribes. The other tribe with similar ending, Tromentina, has too many letters before the ending.

Of the rare Latin cognomina which could be reconstructed from Κουρι[, the only one known in the republican senate is Curio. See the inscription from Oropus, *IG* 7. 331, Γάιον Σκριβώνιον Γαΐου υἱὸν Κουρίωνα. According to Professor Dow's estimate from the photograph, a long nomen is needed in line 5 and Γά[ιος Σκριβώνιος Γαΐου υἱός] would fit the space. C. Scribonius C. f. Curio, cos. 76 (*RE*, no. 10), had returned to Rome at the time of Sulla's victory (Cicero, *Brut.* 227, 311) and was praetor not later than 80. He may well have been the first witness in an S.C. in that year. It is, however, to be noted that Curio's son, the tr. pl. of 50 (see above), was in a different tribe, the Pupinia. The son may have acquired that tribe as the result of a successful prosecution. See Chap. 15, with notes 7–9. The reward of a new tribe because of an otherwise unattested prosecution may in part explain the great influence wielded by the younger Curio in the tribes (Cic. *Fam.* 2. 6; *Phil.* 2. 4).

[4] See also the reading Terentina (variant Tar–) in the mss. of Livy 10. 9. 14 (cf. Chap. 5, n. 34). Terentina also occurs in some mss. in Cicero, *Planc.* 21.

Chapter 14

LIST BY TRIBES OF REPUBLICAN SENATORIAL GENTES AND ITALIAN COMMUNITIES

The senatorial *gentes* and *familiae* listed alphabetically in Chapter 13 are here grouped under their tribes with place of origin, where it is attested, in parenthesis after the name. Individuals are not listed, but if more than one member of the *gens* or *familia* is known in the tribe, the *nomina*, sometimes with *cognomina*, are in the plural. *Cognomina* not included in the documents are added in square brackets. The evidence for the tribes is given in Chapter 13; at the end of that chapter the " unknowns " in the list are arranged alphabetically by tribes. An asterisk after the name of a *gens* or a *familia* means that there is evidence before 90 B.C. either for the tribe or for the senatorial status of a *familia* whose tribe is attested later. A query after the name means that the tribe is not surely established. A query before the name means that the republican senatorial status of the *gens* or *familia* is uncertain. When there is a choice of not more than two tribes, names with fragmentary records of tribes are usually included under both tribes.

The senatorial *nomina* in each tribe are followed by a list of communities classified under the eleven Augustan regions of Italy. The evidence for tribal attributions which differ from Kubitschek's in *IRTD* is cited in the list by regions in Chapter 11 and in the first entry under each community in the Index. An asterisk after the name of a community means that the people of the community were enfranchised before 90 B.C. These communities are listed separately at the end of Chapter 7. A query after the name of a community means that the tribe is uncertain. The notation*? means that the tribe is sure, but the date of enfranchisement uncertain; ?* indicates uncertainty about tribe, combined with reliable evidence for enfranchisement before 90 B.C.; ?*? means that both tribe and date of enfranchisement are uncertain.

After the name of each rural tribe, the usual republican abbreviation, consisting of the first three letters, is given. For other abbreviations, see Chapter 1, with notes 26 and 27. The dates of establishment of tribes are also given, with the words " old tribe " for the fifteen original rural tribes.

AEMILIA, *Aem.*, old tribe: Aemilii*?, Alfidius (Fundi); Ampudius (Formiae); Antistius Vetus; Arrii? (Formiae?); ?Atilius Serranus; Coelius*; Laronius? (Vibo Valentia?); Octavius*; ?Pedanius*; Resius (Mevania); ?Teutius, ?Titius, Valerii Triarii? (Fundi?).

I. Formiae* (188); Fundi* (188); Suessa Aurunca, c.L. III. Copia Thurii, c.L.; Vibo Valentia, c.L. VI. Mevania; Trebiae??.

ANIENSIS, *Ani.*, 299. Alfenus Varus (Cremona); Ateius Capito; Caecilius* [Metellus Macedonicus]; Nonii Suffenates* (Trebula Suf.); Plautii* [Silvanus and Pulcher] (Trebula Suf.); Sulpicius Galba*; Voluminius*; unknown*.

Ani. or *Arn.*, Lutatius* [Cerco].

I. Afilae?*; Capitulum Hernicum?*; Treba*; Trebula Suffenas*. IV. Carsioli, c.L. VIII. Ariminum, c.L. X. Cremona, c.L. XI. Vercellae.

ARNENSIS, *Arn.*, 387. Annius*, Asinius Pollio (Teate); Claudius Glaber; Claudius Marcellus*; Claudius Nero*; Gessius*; Hosidius Geta (Histonium); Pompeius Rufus*; Sergius Plautus*; Voluscius.

Arn. or *Ani.*, Lutatius [Cerco].

IV. Frentani: Anxanum?, Histonium, Iuvanum. Marrucini: Teate. VI. Ocriculum. VII. Blera; Clusium; Forum Clodi?* VIII. Brixellum.

CAMILIA, *Cam.*, old tribe. Aemilius Scaurus*; Annius*; Appuleius*; Geminius; Munatius Plancus? (Tibur); Tremellius*; unknown.*

II. Lupiae. IV. Tibur. VI. Pisaurum*, c.c.R. 184; Suasa Senonum*. VIII. Ravenna. IX. Alba Pompeia. X. Atria.

CLAUDIA, *Cla.*, 495? Claudii?*; Falerius*; Hedius; Rancius; Valerius?

I. Misenum. II. Barium; Caelia; Luceria, c.L.; Tarentum and Colonia Neptunia?*, c.c.R. 122. IV. Aequiculorum Res publica*; Cliternia*; Fidenae*. X. Acelum; Tarvisium. XI. Novaria.

CLUSTUMINA, *Clu.*, 495? Annaeus Brocchus; Calvisius Sabinus? (Forum Novum?); Claudius* [Asellus?]; Cornelius Balbus; Papirius Carbo*; Pompeii* (familia of Magnus and of Bithynicus); ?Tongius; unknown.

II. Larinum. IV. Forum Novum*. VI. Ameria; Arna; Carsulae*?; Iguvium; Interamna Nahars*?; Pitinum Mergens; Sestinum; Tadinum?*?, Tifernum Metaurense; Tifernum Tiberinum; Tuder; Vettona.

COLLINA, *Col.*, urban tribe. Coponius*; Sestius.

Col. or *Qui.*, Attius, Carrinas.

CORNELIA, *Cor.*, old tribe. ?Aebutius*; Atilius Nomentanus?*; Cornelii?*; Curius Dentatus?* (Nomentum?); Fufidius? (Arpinum?); Gratidii* (Arpinum); Magii? (Aeclanum); Marii* (Arpinum); ?Pompeius*; Statilienus* (Fulginiae?); Tullii Cicerones (Arpinum); unknown*.

I. Arpinum* (188); Verulae?*?. II. Aeclanum; Herdoniae?; Teanum Apulum? III. Croton*, c.c.R. 194; Petelia. IV. Nomentum?*. VI. Camerinum; Fulginiae*; Matilica.

ESQUILINA, *Esq.*, urban tribe.

FABIA, *Fab.*, old tribe. Atinius Tyranus; Caecilius Metellus Pius* or Cornelius Scipio Nasica; Domitius Ahenobarbus*; Fabii?*; Helvius Cinna (Brixia); Herennius Picens (Asculum?); Iulii Caesares*; ?Petronius; Ventidius (Asculum).

Fab. or *Fal.* Mallius (Manlius)*; Sempronius*.

II. Rudiae. III. Eburum*? IV. Alba Fucens, c.L. V. Asculum. VII. Luca, c.L. X. Brixia; Patavium.

FALERNA, *Fal.*, 318. Fabius Maximus?*; Fuficius Fango? (Acerrae?); Granius Petro? (Puteoli?); ?Insteius*; Iulii [Caesares*]; — —] Plautus; Sempronii* [Asellio?, Atratinus, Longus?]; ?Tarquitius*.

Fal. or *Fab.* Mallius (Manlius)*, Sempronius*.

I. Acerrae*; Atella?*; Caiatia*?; Calatia; Capua; Castrimoenium?*; Forum Popili*; Nola; Puteoli*, c.c.R. 194; Volturnum?*, c.c.R. 194. II. Caudium. IV. Telesia. IX. Albintimilium.

GALERIA, *Gal.*, old tribe. Acilius Glabrio?; Appuleius (Luna); Iunius* [Damasippus?]; Memmii*; Rabirius*; Silius*.

I. Abella; Abellinum. II. Compsa; Vibinum. VII. Luna*, c.c.R. 177; Pisae. VIII. Veleia. IX. Genua.

HORATIA, *Hor.*, old tribe. Accoleius (Aricia); Ampius Balbus; Atinii Labeones* (Aricia); Atius Balbus* (Aricia); Horatii?*; Latinius Pandusa* (Aricia); ?Lucanius*; Opeimius* (Aricia?); Petreius? (Aricia?); Publicius Scaeva; Voconius Saxa* (Aricia).

Hor. or *Sab.* Filius.

I. Aricia*. II. Venusia, c.L. VI. Spoletium, c.L.; VII Falerii (Colonia Iunonia*?).

LEMONIA, *Lem.*, old tribe. Afinius*; Claudius*; ?Cossinius; Flavius; ?Iunius; Maenius; Munius*; Numitorius*; Sulpicius Rufus*; unknown*.

V. Ancona. VI. Attidium; Hispellum; Sentinum. VIII. Bononia, c.L.

MAECIA, *Mae.*, 332. Annius Milo (Lanuvium); Asellius?; Cornificius (Lanuvium); Fabii Hadriani (Hatria); Herennius Rufus; Laberius* (Lanuvium?); Licinius Murena (Lanuvium); Mettius (Lanuvium); Papius Celsus (Lanuvium); Procilius (Lanuvium); Roscius Fabatus (Lanuvium); Thorius Balbus (Lanuvium); Velleius (Lanuvium); unknown?*.

I. Lanuvium*; Neapolis. II. Brundisium, c.L. III. Paestum, c.L.; Rhegium. V. Hatria, c.L. IX. Libarna.

MENENIA, *Men.*, old tribe. Anicius? (Praeneste?); Antestius*; Calpurnius Piso*; Laelius?*; Licinius Crassus Frugi and Pompeius Crassi f.; Lollius*; Memmius*; Menenii?*; Orchivius? (Praeneste?).

I. Herculaneum; Nuceria; Pedum?*; Pompeii; Praeneste; Salernum?*, c.c.R. 194; Stabiae; Surrentum. X. Feltria; Vicetia.

OUFENTINA, *Ouf.*, 318. Afinius*; Annius*; Attius*; — —] Balbus, cf.. Saenius; Favonius? (Tarracina?); Furius Crassipes*; Saenii? (Saena?); unknown*.

Ouf. or *Tro.*, Sestuillius.

I. Aquinum; Frusino*; Privernum*; Tarracina*, c.c.R. 329. II. Canusium. VI. Forum Flaminii*; Pitinum Pisaur.; Plestia*; Tuficum. VII. Saena. XI. Comum; Mediolanum.

PALATINA, *Pal.*, urban tribe. Aemilii Lepidi*; Claudii Pulchri*; Cornelius*; Cornelius Lentulus Crus?*; Manlius?.

I. Second tribe of Ostia and Puteoli, c.c.R.

PAPIRIA, *Pap.*, old tribe. Coelius Latiniensis (Tusculum); Cocceii Nervae (Narnia); Cordius Rufus (Tusc.); Cornuncanius* (Tusc.); Fonteii* (Tusc.); Fulvii* [Centimali, Curvi, Flacci, Paetini, Nobiliores] (Tusc.); Furii?* [Bibaculi, Fusi, Medullini, Pacili, Phili, Purpureones], associated with Tusculum; Iuventii* (Tusc.); Lartius (Castrum Novum on Adriatic?); Mamilii* (Tusc.); Marcius* [Philippus]; Papirii?*; Plaetorius*; Plautius [Hypsaeus?]; Pontius (Sutrium?); Porcii Catones* (Tusc.); Porcii Laecae and Licini?* (Tusc.?); Servius Rufus (Tusc.); Terentius Varro; unknown*.

I. Cora; Tusculum* (ca. 380). II. Ausculum. V. Castrum Novum?*, c.c.R. 289?. VI. Narnia, c.L. VII. Sutrium, c.L. X. Bellunum; Opitergium; Tridentum. XI. Ticinum.

POBLILIA, *Pob.*, 358. Aufidius*; Cestius; Fruticius? (Verona?); Fufii Caleni (Cales); Hirtius? (Ferentinum)?; Lollius Palicanus (Ferentinum?); Publilius Philo?*; Rubrius*; Vinicii (Cales); unknown.

Pob. or *Pol.*, Quinctius Plancinus.

I. Aletrium; Anagnia*; Cales, c.L.; Ferentinum. IX. Albingaunum. X. Verona.

POLLIA, *Pol.*, old. tribe. Annius*; Antistius*; Cassius Parmensis (Parma); Claudius?*; Flavius?*; Livius Salinator*; Octavius Ligus?; ?Otacilius*; Tedetius; ?Teiedius*.

Pol. or *Pob.*, Quinctius Plancinus.

VI. Aesis*, c.c.R. 247?; Fanum Fortunae*; Forum Semproni*; Ostra*. VIII. Claterna*; Faventia*; Forum Corneli*; Mutina*, c.c.R. 183; Parma*, c.c.R. 183; Regium Lepidum*. IX. Forum Fulvi*; Forum Germanorum*; Hasta*; Industria*; Pollentia*; Carreum-Potentia*; Vardagate*. XI. Eporedia*, c.c.R. 100.

POMPTINA, *Pom.*, 358. Aquillius Florus*; Cassius; Licinius; Lucilius* [Rufus?]; ?Minatius Sabinus (Tegianum); ?Teidius; Villius Annalis.

I. Bovillae?*; Circeii, c.L.; Ulubrae*. III. Atina; Buxentum*, c.c.R. 194; Grumentum; Potentia; Tegianum*?; Volcei. VII. Arretium; Volsinii. IX. Dertona*, c.c.R. ca. 120.

PUPINIA, *Pup.*, old tribe. Atilius Regulus?*; Atilius Serranus?*; Lucilius Hirrus*; ?Nerius; Pinarius Ruscus*?; Scribonius Curio*; unknown*.

I. Trebula Balliensis*?. VI. Forobrentani*; Sassina. XI. Laus Pompeia.

QUIRINA, *Qui.*, 241. Albius*; Axius (Reate); Caerellius; ?Catius (Vestini); Ti. Claudius Caesar*; Cloelius; Didius*; ?Fundilius (Reate); Papirius*; Sallustius Crispus (Amiternum); Septimius; Sertorius* (Nursia); Terentius Varro (Reate); ?Vatienus; Visellius Varro.

Qui. or *Col.*, Attius, Carrinas.

I. Antium*, c.c.R. 338 (second tribe under Claudius?). IV. Sabini; Amiternum*; Nursia*; Reate*. Vestini: Aveia*; Peltuinum*; Pinna.

ROMILIA, *Rom.*, old tribe. Cascellius; Cornelius*; Popillius*; Romilii?*; Valerii Orca? and Soranus (Sora); Verres?

I. Sora, c.L. X. Ateste.

SABATINA, *Sab.*, 387. Caecina (Volaterrae); Carvilius*; Curtius?; unknown*.

Sab. or *Hor.*, Filius*.

VII. Saturnia*, c.c.R. 183; Visentium*; Volaterrae; Volci. X. Mantua.

SCAPTIA. *Sca.*, 332. Octavius (Velitrae); Pupius*.

I. Velitrae*. VII. Faesulae; Florentia; Vetulonia. X. Altinum; Forum Iuli.

SERGIA, *Ser.*, old tribe. Ap(p)uleius?; Faberius; Hirtuleius*; Ligarii?; Manlii*; Octavius Marsus? (Marsi); Petillius; Poppaedius Silo (Marsi); Sergii?*; Servilius Fidenas?*; Titurius Sabinus?; Vatinius (Marsi); Vettius Sabinus?.

IV. Sabini: Cures* (268); Trebula Mutuesca*. Marsi: Antinum; Cerfennia; Marruvium. Paeligni: Corfinum; Sulmo; Superaequum*?. VI. Asisium.

STELLATINA, *Ste.*, 387. Cornelius* [Cethegus?]; Egnatius*; Erucius; Fidustius? (Nepet?); Licinius Sacerdos*; Numisius Tarquiniensis*?; Sanquinius; Tullius Rufus?

II. Beneventum, c.L. VI. Mevaniola; Urvinum Hortense; Urvinum Metaurense. VII. Capena*; Cortona; Ferentium; Graviscae*, c.c.R. 181; Horta; Nepet, c.L.; Tarquinii; Tuscana. VIII. Forum Livi*.

SUBURANA, *Suc.*, urban tribe. ?Unknown*.

TERETINA, *Ter.*, 299. Alfius Flavus (Atina); Appuleius Saturninus (Atina); Arruntius (Atina); Caninius Rebilus*; Cosconius* (Minturnae); Eppius (Minturnae); Genucius*; Licinius* [Crassus?]; Minucii Thermi* (Minturnae); Plancius (Atina); Popillius*; ?Servilius Brocchus; Titinius (Minturnae); unknown*.

I. Allifae*; Atina*; Casinum*; Interamna Lirenas, c.L.; Minturnae*, c.c.R. 296; Sinuessa*, c.c.R. 296; Teanum Sidicinum*?; Venafrum*.

TROMENTINA, *Tro.*, 387. Aelii Tuberones?*; ?Fulvius*; Gellius*; Marcilius? (Aesernia?); ?Marius; Sergius* (Catilina?); Vibius Pansa? (Perusia?).

Tro. or *Men.*, Manlius* (Mallius).

Tro. or *Ouf.*, Sestullius.

I. Fabrateria Nova*, c.c.R. 124; Fabrateria Vetus. IV. Aesernia, c.L. VII. Perusia; Veii*. IX. Aquae Statiellae.

VELINA, *Vel.*, 241. Afranius? (Cupra Maritima?); Caelius Rufus (Interam. Praet.); Cusinius; Labienus (Cingulum); Manlius Maltinus* (Interam. Praet.?); Minucii Basili? (Cupra Maritima?); Nonius Asprenas (Picene); Numerius Rufus; Oppius [Cornicinus?] (Picene, perhaps from

Auximum); Papirius Masso*; Petrucidius? (Praetuttii?); ?Veturius*; unknown*.

II. Ligures Baebiani; Ligures Corneliani. V. Auximum*, c.c.R. 157?; Cingulum*; Cupra Maritima*; Falerio*; Firmum, c.L.; Interamnia Praet.*; Pausulae*; Planina*; Potentia*, c.c.R. 184; Recina*; Septempeda*; Tolentinum*; Trea*; Castrum Truentum*; Urbs Salvia Pollentinorum*. VII. Pistoriae. X. Aquileia, c.L.

VOLTINIA, *Vol.*, old tribe. Acilius* [Balbus?]; Aurelius* [Cotta or Scaurus]; Staius? (Bovianum Vetus?); Statius.

IV. Aufidena*?; Bovianum Undecimanorum; Bovianum Vetus; Fagifulae; Saepinum; Terventum. VII. Castrum Novum?*, c.c.R. 264?; Lucus Feroniae.

VOTURIA, *Vot.*, old tribe. Nautius*; ?Valerius Antias?*; Veturii?*.

I. Antium?*, c.c.R. 338; Ostia*, c.c.R. VII. Caere?*. VIII. Placentia, c.L. XI. Bergomum.

Chapter 15

ANALYSIS OF THE LISTS OF SENATORS AND TRIBES

My list of senators with tribes consists of 332 individuals and *gentes*.[1] Of these 209, whose senatorial status is clearly attested, are marked with a dot before the name to indicate that the tribe is established either by records from inscriptions or literary sources or by sure evidence for their *domus* in a citizen community whose tribe is known. Most of the men are later than 170 B.C., the date of the first known Senatus Consultum with tribes. Earlier names consist of the *gentes* which gave their names to tribes and were presumably once registered in that tribe; of a Fabius, a Manlius, and two Atilii whose tribes cannot be regarded as certain; of the two censors of 204, C. Claudius Nero in the Arnensis and M. Livius Salinator in the Pollia; and of the great families of Tusculum in the Papiria—the Coruncanii, the Fulvii, the Mamilii, and the Porcii Catones.

Although there are few senators in the list who date before 170, nearly half the names of the individuals and *gentes* whose tribes are surely established are earlier than the grants of citizenship that followed the Social War. The abundant material before that time comes largely from the long list of names in the Consilium of 129, all of which, in my view, belong to senators, and from the many senatorial names in the Consilium of 89. The names from the late republic include a number of senators elected to office under Caesar, men drawn from all over Italy. Men of the early empire who belong to republican, senatorial families are also included in the list. In some cases their tribes are attested for their ancestors, but in others, as will be pointed out, there may have been a change of tribe.

There are in the list senators in all the thirty-one rural tribes and in three of the four urban tribes. The registration of senators in the urban tribes is of special interest. In the Palatina there are seven names, all belonging to the patrician *gentes maiores*, Aemilii, Claudii, Cornelii, and probably Manlii. Two men in the lower ranks of the senate are found in the Collina, and there was one man, whose name is lost, in the Suburana.[2] His status as a member of the senate is

[1] Most of the documentation for this chapter is to be found in the list of senators, Chapter 13, and in the lists by tribes in Chapter 14. See also the lists at the end of Chapter 7 and in Chapter 11.

[2] See the fragmentary records arranged alphabetically, by tribes, at the end of the list, Chap. 13.

not certain. There are no names in the fourth urban tribe, the Esquilina. These last two urban tribes, as I have already pointed out, were inferior to the Palatina and the Collina, and the inferiority, contrary to the general view, goes back to the republic.[3] Presumably they suffered restrictions in voting in the republic similar to those recorded in the *Tabula Hebana*, an inscription giving the text of a law of 19 A.D. dealing with a special assembly of senators and knights. The number of senators and knights in the Suburana and the Esquilina must always have been small, but the text of the *Tabula Hebana* indicates that there may have been some,[4] and the appearance of the Suburana in the Consilium of 89 shows that the provisions for the votes of senators and knights in these tribes had some basis.

The disparity in the number of *gens* names listed in the various tribes in Chapter 14 is striking. The largest number, including some queried names, is seventeen in the Papiria, with many representatives of the Fulvii and the Porcii. Next come the Aemilia, the Cornelia, the Maecia, the Quirina, the Sergia, the Teretina, and the Velina, with twelve to fifteen *nomina*. The smallest numbers, omitting the Esquilina with no names, are in the Suburana (1), the Collina and the Scaptia (2), and the Voturia (3). This disparity is, certainly in part, the result of chance discoveries of inscriptions and incidental allusions in the sources. The great number in the Papiria is largely the result of information about individuals and *gentes* from Tusculum. The names in the Cornelia include associates of Marius and Cicero from Arpinum. The number in the Maecia, a tribe represented by only three names in the Senatus Consulta and Consilia, is explained both by evidence for senators from Lanuvium and by assignment to Lanuvium of six moneyers who placed the image of Juno Sospita on their coins. The names in the Velina belong mainly to men of the late republic, several of whom are known to have risen through association with Cn. Pompeius Magnus and his father, holders of great estates in Picenum. Several names in the Quirina and the Teretina are attributed to those tribes because of evidence for place of origin. But it may be significant that these are also the two most common tribes in the Senatus Consulta and the Consilia, which give a better cross section of the senate than we can obtain from other sources. I shall return to the subject later.

The list of senators is obviously full of lacunae. Some of the greatest names of Rome are either lacking or are attested by evidence of doubtful value. The patrician Valerii, one of the *gentes maiores*,

[3] See Chap. 1, with n. 25; Chap. 6, with n. 8; Chap. 10 with notes 59–60.

[4] See *Tabula Hebana*, line 33.

have left no record of their tribe from the republic; the Valerius Publicola of the third century after Christ, who is in the Claudia, is of doubtful value as an indication of the tribe of the republican *gens*. The evidence for the patrician Fabii is also uncertain. Among the great plebeian houses, the Antonii, the Mucii, and the Postumii are missing.

Many individual families of the great *gentes*—which often show a diversity of tribes—are either unrepresented or are impossible to identify because of the frequent omission of distinguishing *cognomina*. For the various families of the Cornelii there is no conclusive evidence, though it seems likely that the Cethegi were in the Stellatina, and the Lentuli, the most prominent branch at the end of the republic, in the Palatina. Of the important plebeian houses, the Lutatii Catuli, the Cassii Longini, and the Sempronii Gracchi are not specifically attested.

Some tribes in the fragmentary records have no great names, while others have a number. There are no sure names of nobles (a term I use for consular families) in the Claudia, Collina, (Esquilina), Oufentina, Romilia, Suburana, and Voturia. On the other hand, the Arnensis had in it a branch of the patrician Claudii (the Nerones), the most important plebeian branch, the Claudii Marcelli, and the Pompeii Rufi. The Aniensis had in it the Sulpicii Galbae and the great plebeian house of the Caecilii Metelli. The Papiria had on its rolls the many important consular houses of Tusculum, and certainly one consular house of Rome, the Marcii, who claimed descent from Ancus Marcius. This tribe may also have included the patrician Furii and the fourth century plebeian Plautii, whose relations with the Tusculani will be considered in the final chapter. The Fabia had as members at the same time C. Julius Caesar, his great rival L. Domitius Ahenobarbus, ancestor of Nero, and Q. Caecilius Metellus Scipio, who, by birth and adoption, could lay claim to greater nobility than any man of his era.[5] And the Palatina, with the Aemilii Lepidi, the Claudii Pulchri, the Cornelii who probably belonged to the Lentuli, and perhaps a branch of the Manlii, was in a unique position in its combination of these mighty patricians with masses of the urban plebs.

New suggestions for the tribes of the following important families have been made: the Acilii Balbi, the consular Annii, the Aurelii Cottae (revival of an old suggestion rejected by Cichorius), the Cornelii Cethegi and Lentuli, the Fabii Maximi, the Licinii Crassi, certain branches of the Manlii, the major line of the Memmii. For the tribes of the Junii Bruti, the consular Opimii, and the Sulpicii Galbae I have accepted the interpretations of Cichorius. In addition there are

[5] See Münzer, *Hermes* 71 (1936) 223; *RA* 316 f.

suggestions for the tribes of many less important men. The new evidence on places of origin of senators will be discussed later.

Change of Tribe

The division of *gentes* in various tribes is in part a result of the fact that certain names, Annius and Plautius, for instance, are common among Latin and Italic peoples, in part a consequence of acquisition of property and local tribes by clients and freedmen of the various houses. It may also be the result of an actual change of tribe on the part of a senator or of one of his ancestors.[6] The changes, which seem to have been most frequent for families who belonged to the city, where all the tribes were represented in the population, might be made for various reasons. Under laws of the late second and first centuries, a man who brought an accusation and secured a conviction in a criminal trial could, as a reward (*praemium legis*), be transferred to the tribe of the condemned man. An adopted son could, at least in the late republic, keep the tribe of his original family and hand it down to his descendants. A senator who acquired property could transfer his registration from his old tribe to the tribe of his new possession.

The acquisition of the tribe of a condemned man,[7] which would often have provided opportunity of gaining influence in an election district, may have been a not infrequent result of the accusations which were constantly brought against men in political life, but loyalty to the old tribe would often have deterred men from changing. A successful prosecution is the cause of the only change of tribe definitely attested for an individual in the list of senators. He is L. Cornelius Balbus, an enfranchised *peregrinus*, registered originally, it would seem, in an urban tribe, probably the Palatina, which he exchanged for the Clustumina as a result of a prosecution. The transfer took place some years before Balbus become a senator. If the name of C. Scribonius Curio, consul 76, is to be restored in the fragmentary senatorial decree of 80, the last item in the list in Chapter 13, the younger Curio was in a different tribe from that of his father, and the tribe may have been acquired by a successful prosecution. The son was famous for his influence over the tribes in election. Such transfers may have been permissible even though they violated the custom under which a son was placed in the tribe of a father who was alive.[8]

According to that custom an adopted son should have given up the tribe of his family and should have taken the tribe of his adoptive

[6] For evidence for change of tribe in the empire, see Chap. 2, with n. 22.
[7] See Chap. 2, with notes 5 and 15; Chap. 8, n. 20.
[8] See Mommsen, *RSt* 3. 183.

father. But censors in their registrations did violence to ancestral custom and left adopted sons in their old tribes, thus giving the family the political advantage of belonging to two tribes. Scipio Aemilianus, in a speech made in his censorship in 142, inveighed against the custom, and Aulus Gellius quotes, with comments, from the speech: aninadvertimus in oratione P. Scipionis quam censor habuit ad populum de moribus, inter ea quae reprehendebat, quod contra maiorum instituta fierent, id etiam eum culpavisse quod filios adoptivos patri adoptatori inter praemia patrum prodesset. Verba ex hac oratione haec sunt: in alia tribu patrem, in alia filium suffragium ferre, filium adoptivum tam procedere quam si se natum habeat.[9] The adopted son then, after having abjured his association with his own father, kept the father's tribe, thus acting as if he were his own father. The adoptive father acquired political advantage for the family by connection with a second tribe. Particularly significant is the placing of the adopted son *inter praemia patrum*, a phrase recalling the rewards in prosecutions, *praemia legis*, which included the acquisition of a new tribe. Scipio probably refused to countenance such registrations, but there is evidence to show that other censors accepted them.

It apparently became customary for the adopted son to choose between his old tribe and the tribe of the new family. That was true of the emperors from Nerva to Hadrian, when each emperor was (or claimed to be) the adopted son of his predecessor.[10] Trajan was in the Papiria, the tribe of Nerva, but Hadrian kept the original tribe of his Spanish home, the Sergia. As for Augustus, it is clear from Suetonius that he maintained relations both with the Scaptia, the tribe of the Octavii, and with the Fabia of the Julii. But his major association was with the Fabia, and it was in that tribe that he enfranchised many *peregrini*, including members of Eastern royal lines. Tiberius, adopted into the Julii, also seems to have been in the Fabia, and the same thing was probably true of Caligula. Claudius, either by birth or,

[9] Gell. 5. 19. 15 = Malcovati, *ORF* ² 126. The rest of the quotation from Scipio's speech is a protest against a census *in absentia*: absentis censeri iubere, ut ad censum nemini necessus sit venire. The words *in alia tribu patrem, in alia filium suffragium ferre* seem to be interpreted by Mommsen, *RSt* 2 ³. 365, n. 1, as a separate charge from the one about adopted sons, a charge that sons, who should be *in patris potestate*, were placed in a different tribe. But Gellius' statement about the advantages an adoptive father derived from an adopted son leads me to believe that the statement about voting also concerns an adopted son. If my suggestion that the reference to *praemia* reflects the custom of providing rewards for men who aided in the detection of crimes against the state is valid, there is evidence that such rewards, first attested in the *lex. repet.* of 123, go back to a date before Scipio's censorship in 142.

[10] On the tribes of emperors, see Kubitschek, *Orig* 116 ff.; Mommsen, *Gesam. Schr.* 8. 321–27, with Dessau's notes.

as I shall suggest later, by his own action as censor, was in the Quirina, and this seems to have been the tribe of Nero whom he adopted.

As for other adopted sons in the list, the tribe of the new family seems to have been used by C. Visellius Varro and the imperial Ti. Plautius Silvanus Aelianus. The latter, though changing his tribe, maintained the patrician status of his original family, almost certainly the Aelii Lamiae. But other men kept their old tribes. One of these is P. Clodius Pulcher, who apparently continued to belong to the Palatina, taking neither the tribe nor the name of the Fonteius by whom he was adopted. Another instance is provided by an Augustan. M. Licinius Crassus Frugi, adopted from the Calpurnii Pisones by a Licinius Crassus. His tribe, the Menenia, is the tribe of L. Calpurnius Piso, consul 58, almost certainly his grandfather. Unless, as is unlikely, the Licinii Crassi were also in the Menenia (I have tried to show that they were in the Teretina), Crassus Frugi retained the tribe of his original family; he also handed it down to his son, Cn. Pompeius Crassi f. Magnus. Another case of this type may be M'. Acilius Glabrio Cn. Cornelius Severus, consul 152 A.D., whose tribe, the Galeria, may have been acquired by adoption of an ancestor in that tribe.

It is impossible to determine whether the Fabia, tribe of Q. Caecilius Metellus Scipio, belonged to his original family, the Cornelii Scipiones Nasicae, or to the family of adoption, the Caecilii Metelli. The tribe is not attested for either family. There is no evidence for the tribe of the Scipiones Nasicae, but Q. Caecilius Metellus Macedonicus, great-uncle of the adoptive father, was in the Aniensis. The possibility must be considered that a change of tribe in Metellus Pius' line resulted from a successful prosecution.

For change of tribe through the transfer of men by censors from one tribe to another in which they secured property, there is no specific evidence in the sources,[11] but such changes are suggested not only by the division of *gentes* among the tribes, but also by the appearance of men in tribes created after their *gentes* were prominent at Rome. Here the tribes of the old patrician families are particularly significant, for, with the possible exception of the Claudii, all the patrician families were older than the republic.

Tribes of Patricians

The patrician *gentes* who gave their names to tribes are of special interest. Included in the list of senators from these patrician *gentes* are the following: Aemilii, Claudii, Cornelii, Fabii, Papirii, Sergii, and Veturii. Except for the Papirii, representatives of all these *gentes* in the list seem to have been patricians.

[11] See Chap 2, with n. 23.

Now it is striking that not one senator of these *gentes*, either in the patrician or in the plebeian lines, which were prominent among the Claudii for instance, is recorded in the tribe that bore his name. It must be admitted that, except for the Claudia, there is a curious lack in the tradition of evidence for a connection between the tribal *gentes* and their tribes. Cicero, in instructing an uninformed Papirius on the patricians in his house (*Fam.* 9. 21), does not even mention the Papiria tribe. Yet there is support for the belief that the tribal *gentes* and their clients once had property in the tribal districts named for them.[12] The Claudia tribe was said to have been created for the clients of Attius Clausus, reputed founder of the *gens*, and Plutarch says that Clausus himself received a land grant, supposedly in the Claudia tribe. T. Romilius, consul 455, appears in the *Fasti* with the *cognomen* Vaticanus, and the Romilia was in the *ager Vaticanus*. If the legend of the Fabian family's assumption of responsibility for the war against Veii means that the Fabia tribe adjoined the territory of Veii on the Cremera, we have an indication that early Fabii were in the Fabia. Similarly the legend of the Horatii as champions of Rome against Alba may reflect the fact that Horatii had property in the tribe of their *gens*, which was close to the territory of Alba. If my suggestion for the origin of the *cognomen* Fidenas in the name of L. Sergius Fidenas is right, we should have Sergii in the Sergia. And the family shrine of the Veturii may have been in the Voturia toward Ostia.

But members of these and other patrician tribal houses appear instead in different tribes, and usually in two or more tribes for each *gens*. The Aemilii are in the Palatina and the Camilia; the Claudii in the Palatina, the Arnensis, the Lemonia, the Quirina, and possibly the Pollia; the Cornelii are in the Palatina, probably the Stellatina, and perhaps the Fabia; the Sergii are in the Arnensis and the Tromentina. The one patrician Fabius listed was more probably in the Falerna than in the Pupinia. The Veturius is in the Velina.

The registration suggests a change of tribe in order to gain control of another district. The two old rural tribes surely attested in this list, the Camilia and the Lemonia, are among the six tribes with names of *gentes* which do not appear in the annals of chief magistrates of the early republic. Still more significant is the appearance of a number of tribes organized long after the families were prominent in Roman politics—the Arnensis, Stellatina, and Tromentina in 387, the Falerna in 318, the Velina and Quirina in 241. Registration in later rural tribes is also to be found in other patrician families who did not give their names to tribes. There seem to have been Manlii in a Veientane tribe, probably the Tromentina (387), and perhaps in the Falerna (318);

[12] For the evidence, see Chap. 4.

there was a branch of the Julii Caesares also in the Falerna, and there were Sulpicii Galbae in the Aniensis (299) and a Furius Crassipes in the Oufentina (318).[13]

Particularly noteworthy is the registration of Claudii, Sergii, and probably Cornelii and Manlii in three of the four tribes organized in 387 out of the newly annexed Veientane land. I would suggest that members of these *gentes* received assignments here when the tribes were created. It is to be noted that M. Manlius Capitolinus is reported to have had a *fundus in Veienti* which is described as *caput patrimonii.* M. Furius Camillus, the conqueror, of Veii, would probably have shared in these assignments with consequent transfer to one of the new tribes, but the only tribes attested for the Furii are perhaps the Papiria[14] and certainly the Oufentina for a Furius Crassipes. The latter registration, like the probable assignment of a branch of the Julii Caesares and perhaps of the Fabii and Manlii to the Falerna, may date from the organization of the two tribes in 318. The enrollment of the Sulpicii Galbae in the Aniensis may go back to P. Sulpicius Saverrio, who, as consul in 304, served in the war against the Aequi and in 299 was one of the censors who organized the Aniensis tribe out of land taken from the Aequi.

Thus the registration of these patricians in later rural tribes indicates, in my view, land grants made to them, probably when the tribes were organized. The men who changed their tribes would have wished to establish control in the new districts, and they would have had relatives and clients on whom they could depend to keep for them the strength they had in their own tribes. A Fabius, even though he had changed his registration to the Falerna, would, I believe, continue to remind voters in the Fabia that the tribe took its name from his house. The interest of the antiquarian emperor Claudius in his family tribe, the Claudia, is noteworthy here.[15]

Patricians in the Palatina

Does the registration of four of the *gentes maiores* of Rome in the Palatina represent a change of tribe, or does it go back to the be-

[13] There is some doubt whether the Furius Crassipes in this tribe is a patrician. The other patricians in the list are Ser. Sulpicius Rufus in the Lemonia and C. Julius Caesar in the Fabia. The division of the Julii Caesares into two tribes is interesting. There may be a mistake in the record of the L. Julius in the Consilium of 129. The Nautius and the Papirius listed are probably not patricians; the same thing may be true of the Veturius in the Velina.

[14] See discussion below, with n. 28 and Chap. 16, with n. 10.

[15] See Appendix. For the Cornelia, see discussion of the elder Scipio, Chap. 16.

ginning of the republic ? It is to be noted that there is a tradition that Attius Clausus, when he came to Rome, was given property for himself in the city and land for his clients in the newly organized Claudia tribe. The possibility must be considered that the property was on the Palatine, and that his *gens* and certain branches of the Aemilii, the Cornelii, and perhaps the Manlii were from earliest times in the Palatine tribe. But it seems to me more likely that Claudii, Aemilii, and Cornelii were originally in the tribes of their *gentes*.

I suggest that registration in the Palatina is to be attributed to Appius Claudius Caecus who, as censor in 312, tried to equalize the tribes by putting the *humiles*—mainly freedmen—in all the rural tribes.[16] It would have contributed materially to the equalization to have patricians in an urban tribe in which they held property. For this reason Appius himself or, as I shall suggest later, one of his sons, and also branches of the Aemilii, the Cornelii, and perhaps the Manlii may have registered in that tribe.

Tribes of the Claudii

Here we may pause to consider the tribes of the Claudii. One of Appius' descendants, C. Claudius Nero, was in the Arnensis, a Veientane tribe. Perhaps that was the tribe of the family from 387 to 312, and perhaps the censor left one of his sons, ancestor of the Claudii Nerones, in it, and put the other, ancestor of the Claudii Pulchri, in the Palatina.[17] It is to be noted that the greatest of the plebeian Claudii, the Marcelli, were also in the Arnensis, as was another plebeian group, the Claudii Glabri. Close relationship between patrician and plebeian Claudii is revealed by a famous law suit recorded by Cicero.[18] There was perhaps a big settlement of Claudii and their clients in Veientane territory. But there was a further division of tribes among Appius' descendants, the Claudii Nerones. The emperor Claudius, member of the same branch of the Claudii as the censor of 204 in the Arnensis, was in the Quirina. I suggest that Claudius himself, desiring to emphasize his Sabine connections, made the change, perhaps choosing the Quirina because Regillum, reputed home of Attius Clausus, was thought to have been in the territory of that tribe.

[16] See my *UrbTr* and Chap. 10, with notes 6–19.

[17] That would, of course, have been a violation of the *mos maiorum*, which Appius was charged with disregarding in his censorship. See Diod. 20. 36. 1: πολλὰ τῶν πατρώων νομίμων ἐκίνησε.

[18] *De Or.* 1. 176: Inter Marcellos et Claudios patricios centumviri iudicarunt, cum Marcelli ab liberti filio stirpe, Claudii patricii eiusdem hominis hereditatem gente ad se redisse dicerent. Perhaps the property under adjudication was in the Arnensis.

It is to be noted that Claudius revived the censorship, holding the office in 47–48, and carrying out functions of the old-time censors. One of these functions was, under certain conditions, to change the tribes of individuals, and we can imagine Claudius elaborately announcing the transfer of his house to the tribe in which the *domus* of the founder of the Claudii was registered. There was still another division among the descendants of Appius Claudius Caecus, if Q. Claudius Ap. f. Pol. in the Consilium of 129 has had his tribe recorded correctly. But Pollia, written in full in the Greek text, may be a mistaken expansion of Pal.

There is one other name to mention among the patrician Claudii, the L. Claudius in the Lemonia, probably father of the *rex sacrorum* of 57 B.C., and perhaps himself holder of the same priesthood. He may be a descendant of an old line of the Claudii who used a *praenomen* avoided by the other Claudii, a line which practiced the old marriage rite of *confarreatio* and could be called upon to serve in the unwanted office of *rex sacrorum*, a priest who was denied a political career.[19]

The Tribes of the Plebeian Sempronii and Licinii

To return to possible changes of tribes resulting from the organization of new districts, we may note the tribes of two old plebeian houses, the Sempronii and the Licinii, who, like the patricians, seem to have been natives of Rome. The former, a house with fifth-century patrician magistrates, is represented later only by plebeians in the magisterial lists. P. Sempronius Sophus was apparently tribune of the plebs in 310, and was later consul (304) and censor. The family may have received land grants in the Falerna in the era of Sophus. This is the tribe of the four Sempronii in the list of senators.

There is much more variety in the tribes of the Licinii, a house in many families, the most powerful of the exclusively plebeian *gentes* of the republic. The Licinii are found in five tribes,[20] one of which, the Menenia, seems to have been the tribe of the Calpurnii Pisones from whom the man was adopted. The other four tribes which surely belong to republican senators of the house are later rural tribes, the Stellatina (387), the Pomptina (358), the Maecia (332), and the Teretina (299). The tribes may throw some light on the history of the family which Münzer has analyzed.[21] The Licinii claimed that they had produced tribunes of the plebs in the fifth century, but the first surely attested member of the house in office was military tribune with

[19] For a similar line of the Manlii, see L. Manlius Severus, Chap. 13, with suggestions there for a line of the Valerii also used for such religious offices.

[20] I omit the Licinius Lucullus in the Clustumina, since I do not think that he gives us evidence for the republican consular family.

[21] See *RA*, *passim*, and s.v. "Licinius". *RE*, col. 214 ff.

consular powers in 400 and 396, the period of the siege and fall of Veii. Perhaps land he acquired in the Veientane tribe, the Stellatina, accounts for the tribe of C. Licinius Sacerdos. The house rose to great eminence through the tribune who was co-sponsor of the Licinian-Sextian laws of 367, but fell into disgrace when, after his consulship, he was condemned for violating his own law limiting landholding. After that, there was no Licinius in the consulship until 236. The next consul of the *gens*, P. Licinius Crassus Dives, consul 205 and *pontifex maximus* from 212 to 183, shows in his *cognomen* the wealth that in part accounted for his rise, and Münzer suggested that the house in the interval of exclusion from high office had been engaged in amassing riches.

The registration of the Licinii in several tribes leads me to suggest that members of this house had moved from Rome and settled on the sites of their various holdings, and that their descendants came from their various districts. Even L. Licinius Murena from Lanuvium may be a descendant of an old settler from Rome in the Maecia, though Cicero's oration in his defense does not suggest that there were *consulares* among his forbears.[22]

Senatorial Descendants of Romans Settled in the Rural Tribes

It was the view of Münzer that the Romans of the latter part of the fourth century were as ready to open their high office to men from other peoples as their forbears had been to admit to the patriciate families like the Claudii and the Julii. In Münzer's view there were among early plebeian consuls various members of the ruling nobility of Latin and other Italian peoples. But he has produced no certain evidence for fourth century names to place beside the Fulvii from Tusculum, whose first consulship dates in 322.[23] Later, there were men from municipalities who reached the consulship, but there were few before Caesar. Many of the senators in rural tribes, including perhaps the Licinii, were probably descendants of Romans who settled on their land grants outside the city. I have tried elsewhere to show that that was true of the Plautii in the Aniensis. If M. Terentius Varro, the antiquarian, was a descendant of the new man C. Terentius Varro,

[22] Other plebeians who may have had their tribes changed at an early period are Q. Publilius Philo, who may have been transferred to the tribe named for his *gens* in 358, and possibly the Marcii and the Plautii, enrolled in the Papiria. See Chap. 16, with notes 10–12. M.' Curius Dentatus, who was awarded land from the territory he conquered (see Chap. 5, with notes 63–64), would perhaps have chosen to retain the tribe of his municipality.

[23] For criticisms of Münzer's view, and incidentally of the fantastic suggestions of Werner Schur, see Chap. 12, n. 33.

consul 216, defeated at Cannae, he belonged to a branch of the family which later settled at Reate. It is likely that L. Appuleius Saturninus from Atina in the Teretina, who is described as the first curule magistrate of his *familia*, and the first from Atina, belonged to a collateral branch of the house of the tribune of 100. No man would have taken the tribune's *cognomen* to enhance his prestige.

But it is possible that in the republic, as in the empire, municipal men sometimes took the *cognomina* of distinguished branches of their *gentes*. In the empire that seems to have been true of a Pinarius and a Licinius of Interamna Nahars, who appear with the *cognomina* Natta and Lucullus. Still more striking is the assumption of the *cognomen* Metellus by one of the sons of the Pompeian business man of servile stock, L. Caecilius Iucundus.[24] Such instances make one uncertain about the relationship of senatorial families to the Coelius Caldus, the Aelius Tubero, and the Valerius Flaccus of Pompeii, the Ateius Capito of Castrum Novum in Etruria, the Atilius Seranus of Caere, the Cornelius Cinna of Venusia, the Marcius Rex of Interamna Lirenas, the Minucius Thermus of Telesia, and the M. Tullius Cicero of Paestum. Some of these men who served as municipal magistrates may have been members of senatorial families who, without having residence in the towns, were given the office as patrons or benefactors, but others, like the Cicerones of Paestum, in Paestum's tribe, the Maecia, seem simply to have assumed a *cognomen* of renown. Names that come from the lower ranks of the senate, like the Fuficius Fango of Acerrae, are probably a better indication of place of origin.

The Tribes as a Means of Distinguishing Familiae within the Gentes

Particularly for *gentes* without *cognomina*, but sometimes in other cases, the tribe is used to distinguish between *familiae* of a *gens*. It

[24] See also the Pinarii Nattae from Abellinum and Aquileia, with evidence for marriage with a freedwoman in the family of the latter. Examples of great names in the sepulchral inscriptions of Rome are L. Cornelius P. f. Pol. Lentulus (whose poverty is shown by his burial space, only four feet square) and M. Clodius M. f. Ouf. Marcellus (whose *nomen* does not accord with the spelling of that of the consular Claudii Marcelli). I have not attempted to make these examples exhaustive. They are particularly numerous in Spain, where, distributed over Baetica, Tarraconensis, and Lusitania (see Index of *CIL* 2, Suppl.), the following names occur: L. Aemilius Paulus, Cn. Cornelius Cinna, L. Cornelius Lent(ulus), M. Fabius Maximus, M. Junius Brutus, C. Manlius Torquatus, Sulpicius Rufus, M. Valerius La[e]vinus, Valerii Maximi. In Gallia Narbonensis (*CIL* 12) such names are less frequent, but the following occur: C. Clodius Cirri f. Pulcher (son of a *peregrinus*?), Valerii Maximi, and M. Porcius Cato who was apparently *duumvir* of Narbo in 36 A.D. (12. 4407, with Hirschfeld's note).

seems likely that the members of the less prominent branch used the tribe. That is true of the Manlii in the Sergia and the C. Marius in the Tromentina. They were not *the* Manlii or *the* Marii. It seems also to be true of Ti. Claudius in the Clustumina; the great Tiberii Claudii Nerones were in the Arnensis, and this man is probably a little known Asellus in the plebeian Claudii. Similarly, I believe that M'. Acilius in the Voltinia was a member not of the consular line of the Acilii Glabriones, but of the Acilii Balbi who, at the time of the record, had not yet reached the consulship. These men perhaps belonged to branches of the various houses which had received land grants in other tribes and in some cases were associated with specific towns. The case of the greatest interest is the Memmii, divided between the Menenia and the Galeria. My belief, opposed to the generally accepted view, is that the former, and not the latter, represented the major line of the late republic, descended from the praetor of 172 and the *praetorius* of 129, whose name gives us the tribe. His date and importance have not hitherto been recognized. It was, I think, the family in the Menenia (the line of the famous praetor of 58), which signed coins without tribes, while the Memmii who placed the tribe Gal(*eria*) on their coins were a less important branch, descendants of a collateral line which perhaps settled in a community in the Galeria, possibly the citizen colony Luna.

Tribes and Domus of Senators and Consulares

The tribes themselves and other evidence, such as the occurrence of the *nomen* in the inscriptions of a town in that tribe, have led to some suggestions and conclusions on the place of origin of senators. Thus, the Plautii Silvani have been shown to come from Trebula Suffenas. P. Accoleius Lariscolus, as Alföldi has shown, came from Aricia. New evidence has been found to show that the Lollii Palicani, natives perhaps of Asculum, an allied city of Picenum, were enrolled as citizens in the tribe of Ferentinum; from the same town A. Hirtius seems to have come into Roman politics. Following Münzer's lead for two of the names, I have assigned to Minturnae the Cosconii, the Eppii, the Minucii Thermi, and the Titinii. Following Cichorius or Syme, I have assigned C. Fundilius to Reate, L. Afranius to Cupra Maritima in Picenum, and Q. Laberius to Lanuvium. Cn. Oppius Cn. f. Vel. seems to have come from Auximum in Picenum. As Austin has shown, M. Caelius Rufus came from Interamnia Praetuttiorum. L. Lartius L. f. Pap. may be a native of Castrum Novum in the Praetuttii. Of special interest are several names which, with some suggestions or hints from Syme, I place beside of C. Asinius Pollio from the Marrucini as men originating from one of the peoples who fought against Rome in the Social War—P. Ventidius from

Asculum, P. Vatinius from the Marsi, Staius Murcus perhaps from the Samnites.

With the exception of Pompey's adherent L. Afranius, consul 60, these assignments of place of origin all belong to families which either did not reach the consulship at all, or reached it under Caesar and the early empire. The only consular name before Caesar's dictatorship which might be added to the list of men for whose origin there is new evidence is that of the Opimii, consuls of 154 and 121,[24a] who, if, like the Opimius of the Consilium of 89, they were in the Horatia, may have come from the most important place in that tribe at this time, Aricia. There is no trace of the *nomen* in the inscriptions of Aricia, but Cicero attributes *multae sellae curules* to the Aricini.

But there is no new evidence to lead one to believe that Aricia or any other municipality rivalled Tusculum as the home of consuls. Cicero, in a rather obscure statement, says that there were more consular families from Tusculum than *ex reliquis municipiis omnibus*.[25] Certainly it is impossible to enumerate from any other town as many as the five consular families known from Tusculum, or to count before Caesar as many *consulares* from all municipalities together as the twenty-six or -seven from Tusculum. Besides Aricia, not certainly the home of the Opimii, the only town known to have produced as many as two *consulares* is Arpinum, home of Marius and of Cicero, who found himself treated as a *peregrinus* and an *inquilinus* at Rome. Lanuvium, a flourishing community, closely bound to Rome by a great cult recognized in the Roman state religion, had had no consul before L. Licinius Murena in 62. Some unknown municipality, perhaps Nomentum, was the home of the great M.' Curius Dentatus.[26] A Picene town, perhaps Cupra Maritima, was the *domus* of L. Afranius, consul 60. I have suggested that the Pompeii of Magnus' line may have come from a community in the Clustumina, perhaps Forum Novum in Sabine territory. The evidence, is, of course, incomplete,[27] but the readiness of our best source, the great orator from Arpinum,

[24a] But see Addenda for the Acilii Glabriones at Ostia.

[25] Cic. *Planc.* 19: Tu es e municipio antiquissimo Tusculano, ex quo sunt plurimae familiae consulares... tot ex reliquis municipiis omnibus non sunt. There were five consular families from Tusculum, the Fulvii (17 consuls), Mamilii (3), Coruncanii (1), Iuventii (1), Porcii Catones (4), also perhaps the Porcii Licini (1).

[26] Cicero, *Sull.* 23, mentions Curius in a passage where he is protesting against the implication that men from municipalities are *peregrini*. The Otacilii of the third century, *peregrini* or descendants of *peregrini* from Maleventum, and the Perpernae, descendants of an enfranchised *peregrinus*, were not of municipal origin.

[27] The men from municipalities may, of course, have included descendants of Romans who had settled in the districts.

to cite his predecessors among *municipales viri* leads me to believe that the lacunae are not many. Particularly striking is the lack of evidence for consuls from Sabine territory, home of Roman kings and of the patrician Claudii and perhaps the Valerii. The Romans of the republic seem to have been slow in granting their chief magistracies to any people except the Tusculani.

The peculiar position of this people in the consulship provides strong support for the tradition that the Tusculani were granted citizenship some decades before the other Latin peoples.[28] They won their first consulship for 322, not, as we shall see in the next chapter, without a struggle. The Fulvii, to whom this consul belonged, won a total of twenty consulships, the largest number held by any plebeian house. All the five consular families of Tusculum acquired their position in the nobility by 165. After that, though several Fulvii and Porcii were elected to the office in the next seventy-five years, the position of Tusculum declined steadily as its territory became occupied by the suburban estates of great Romans.[29]

There is some reason to believe that the Marian-Cinnan party set a precedent for Caesar in a more generous attitude toward men of non-Roman origin. Among the praetors of the short period of their power were C. Fabius Hadrianus from the Latin colony Cales, and the two Magii, sons of a prominent partisan of Rome from the rebel town Aeclanum. But Sulla's victory put an end to such generosity.

There was a radical change of policy for the consulship under Caesar and the triumvirs. The following list gives the consuls of the years 48–31 who are associated by good evidence with Italian towns. Asterisks indicate the towns, including Latin colonies, which were enfranchised after the Social War, towns from which not a consul, and very few senators are known before Caesar[30]: P. Alfenus Varus, cos. suff. 39, from Cremona*; C. Asinius Pollio, cos. 40, from Teate in the Marrucini*; C. Calvisius Sabinus, cos. 39, perhaps from Forum Novum in Sabine territory; M. Cocceius Nerva, cos. 36, probably from Narnia* and perhaps also C. Cocceius Balbus, cos. suff. 39*; Q. Fufius Calenus, cos. 47, from Cales*; M. Herennius, cos. suff. 34, probably from Picenum; A. Hirtius, cos. 43. probably from Ferentinum*; L. Nonius

[28] On the date of Tusculum's citizenship, see Chap. 7, n. 3. See also M. Flavius in Chap. 13 and the discussion of Tusculum, Chap. 16.

[29] See Cicero's contrast (*Planc.* 21, cf. 20) between the few Tusculani available to support M. Iuventius Laterensis for the curule aedileship in 55 and the large group of Atinates on hand to vote for Cn. Plancius (*plebem... quae cuncta comitiis adfuit*).

[30] For the senate and *consulares* of this period, see Syme, *RR*, Chap. VI and *passim* and *PBSR* 14 (1938) 1 ff. For reasons given under his name, L. Munatius Plancus from Tibur is not included in this list.

Asprenas, cos. suff. 36, from Picenum; P. Vatinius, cos. 47, in the Sergia, grandson of a *peregrinus* almost certainly from the Marsi*; P. Ventidius, cos. suff. 43. probably from Asculum*; L. Vinicius, cos suff. 33, probably from Cales*. To this list can be added one enfranchised *peregrinus*, L. Cornelius Balbus, cos. suff. 40, from Gades in Spain.

Although the consulship had been closely guarded by the jealous nobility before the dictatorship of Caesar, there is reason to believe that the more populous regions within easy reach of Rome had been successful in bringing their citizens into the lower offices. That is, I believe, the explanation of the large number of names from the Teretina and the Quirina in the list of senators. These two tribes were not scattered all over Italy; even after the Social War they were each concentrated in a single region, with a number of prosperous towns—Atina, Casinum, Venafrum, and Minturnae in the Teretina; Reate, Amiternum, and Nursia in the Quirina. With good lines of communication, many men could come to Rome to vote, and it was worth while to come even for the tribal assembly. Cicero, in the *Pro Plancio*, gives a vivid account of the participation of the Teretina in the election of one of their *tribules* to the curule aedileship. The Velina, also with many names, was much more remote from the comitia. The success of its members in gaining senatorial rank is to be attributed largely to Pompey and his father.

The Distribution of Senators in the Tribes

The inequalities in the numbers of senators recorded in each tribe have already been considered. For the senate three decades before the Social War the Consilium of 129 is of value, for it gives us 46 tribes of men who served in the senate together. The names are distributed among 25 of the 31 rural tribes, and it is of interest that the largest groups are in one of the largest tribes and in two of the smallest. There are five men in the Teretina and four each in the Menenia and the Lemonia, the latter perhaps the smallest of all the rural tribes at the time. The small tribes evidently did not have a lack of representatives. Yet there is no reason to think that tribal registration was a factor in election to the magistracies which provided entrance to the senate. There must have been inequalities in the number of senators in each tribe.

An attempt to correct the inequalities seems to have been made by Sulla when he enlarged the senate by the addition of 300 knights. According to Appian, Sulla had the tribes elect the members, and that means—here I agree with Gabba—that each tribe made elections from its own members.[31] There was a special reason for seeking equality

[31] Appian, *B.C.* 1. 100: αὐτῇ δὲ τῃ βουλῇ διὰ τὰς στάσεις καὶ τοὺς πολέμους πάμπαν ὀλιγανδρούσῃ προσκατέλεξεν ἀμφὶ τοὺς τριακοσίους ἐκ τῶν ἀρίστων ἱππέων,

in tribal representation, for Sulla had restored the right of jury duty in criminal courts to the senators. The jurors in these courts had far wider duties than the senatorial jurors had had when, before the law of C. Gracchus, they were limited to service in the extortion court. The new courts took over some of the functions of the assemblies which, divided into tribal groups, had sat in judgment on various criminal charges.[32] It was probably considered important to have the tribes adequately represented in the new juries from the senate. It is significant that the Lex Plautia iudiciaria of 89 had made provision for equal tribal representation in the juries by having each tribe elect fifteen members for the panel, a provision that, because of the shortage of high-propertied men in some tribes, resulted in a panel of senators, knights, and men *ex ipsa plebe*.[33]

Sulla, following in part the precedent of the Lex Plautia, may then have considered the number of senators in each tribe, and may have assigned the numbers to be elected from each tribe in such a way as to produce approximate equality in tribal representation. If this suggestion is right, the Romans were not so entirely lacking in a representative system as is generally believed.[34] But disparity in tribal representation would soon have developed, for the membership of the senate was maintained by the yearly election of quaestors, in which the whole people took part, and there is not a trace of evidence that a man's tribe had anything to do with his candidacy.

Another means of maintaining adequate tribal representation was devised in the Lex Aurelia iudiciaria of 70. This law provided for a new panel, made up of nine hundred men drawn from senators, knights, and *tribuni aerarii*. The last named were old officers of the tribes, who now formed a new class in the state, with a property rating slightly below that of the knights. The law seems to have followed the precedents of the Lex Plautia, and disparity in tribal representation among senators could be compensated for by the appointment, in tribes where there was a shortage of senators, of more knights,

ταῖς φυλαῖς ἀναδοὺς ψῆφον περὶ ἑκάστου. On this whole question, see E. Gabba, *CESS* and the supplementary note in his edition of Appian, *B.C.* 1, pp. 343–45.

[32] The *lex repet.* (*CIL* 1^2. 583, sections 14 and 18) provides that the jurors are to be *tributim discripti*.

[33] Ascon. 79 C.: M. Plautius Silvanus tribunus plebis Cn. Pompeio Strabone L. Porcio Catone coss., secundo anno belli Italici cum equester ordo in iudiciis dominaretur, legem tulit adiuvantibus nobilibus ... ex ea lege tribus singulae ex suo numero quinos denos suffragio creabant qui eo anno iudicarent. Ex eo factum est ut senatores quoque in eo numero essent et quidam etiam ex ipsa plebe.

[34] On Rome's "rejection of representative government," see J.A.O. Larsen, *Representative Government in Greek and Roman History* (Berkeley 1955) 159 f.

and also more *tribuni aerarii*, a group which must have been well distributed among the tribes. Approximate equality in numbers of jurors in each tribe is indicated by Crassus' law of 55, under which jurors of specific tribes could be selected by the accuser to serve in cases of *sodalicium*, illegal organization of tribal groups.[35]

* * *

The most important result of this analysis of the tribes in the author's view is the evidence it has produced for changes of tribe among the patrician and the older plebeian families, a group made up of natives of Rome. These changes led to wide registration in the newer rural tribes, and they should, in my view, be dated mainly in the period between 387 and 241, when fourteen rural tribes were created. My date of the changes is in conflict with the view of Mommsen that change of tribe was common until the Social War,[36] after which a man's tribe was more or less fixed. I think it likely that the chief changes after about 241 were the result either of successful prosecutions, which would have given a senator a chance to secure power in a new voting group, or of the retention by an adopted son of the original tribe of his family.

The emphasis on the *domus*, which had undoubtedly developed in the second century, was strengthened by the municipal organization that followed the Social War. After that, the senator of municipal origin would have retained the tribe of his *domus* where he kept up his associations. It probably would not have occurred to Cicero to transfer his registration from the Cornelia to the more desirable Romilia, the probable tribe of Verres, whose conviction he had secured. We can see the persistence of such loyalties in the empire, for instance in Vespasian's maintenance of the Quirina, the tribe of his native Reate, and in the registration of Nerva in the Papiria, which seems to have been the tribe of Narnia.

[35] See Cic. *Planc.* 36–47, with *Schol. Bob.* 152 f., 159–61 St; Cic. *Att.* 4. 15. 9; cf. Mommsen, *Strafrecht* 217.

[36] *RSt* 2^3. 402.

CONCLUSION

Chapter 16

SENATORS AND VOTING DISTRICTS

How did the unwieldy system of voting districts that we know in the late republic evolve? The tribes, by that time simply units for the census and the vote, were unequal in size and in the value of the individual's vote, and most of them, divided into several separated sections, lacked geographical cohesiveness. What was the purpose of the district makers who were responsible for this curious distribution of the Roman voters?[1]

The district makers were the men who controlled Roman politics, men of senatorial and particularly of noble families who, to enter into the pacts of friendship that were the Roman substitute for the political party, had to be able to deliver the vote of their own tribes. In the nobility the most influential men in district making were the censors (Chap. 2), who had wide latitude in the enrollment of individuals in the tribes and who could probably add to a tribe old and new citizens in the periphery of the tribal area, and perhaps also, at an earlier period, groups living in the same direction from Rome as the old tribal area (Chap. 7). Although the censors, in my view, depended on laws for the creation of new tribes (Chap. 2) and for the assignment of peoples to tribes which were not contiguous or in the same direction from Rome, they seem often to have inspired the legislation passed in a census period.

In settling districts the censors and nobles were frequently moved by considerations of the common good. They wished to have newly acquired land occupied by a nucleus of old citizens, and they realized that it was easier to persuade men to take up allotments far from Rome if the settlers did not lose influence in the Roman assemblies. That is why there was usually readiness to create new tribes for allotments to old citizens, while new citizens were normally placed in an extension of an old tribe.[2] But the nobles also saw themselves and their families as essential to the welfare of the people and they wished to keep their houses in high office. Therefore, considerations of family advantage in the exercise of suffrage could never have been entirely absent. Sometimes it was undoubtedly the major factor in determining

[1] For the assignment of tribes to Italian communities, constantly referred to in this chapter, see the Summary and the list in Chap. 11; for the tribes of senatorial *gentes*, see the names in Chap. 13 and the analysis in Chap. 15.

[2] See Chap. 5, with notes 71–72.

assignments to tribes. Did the nobles wish their own tribes and those of their political associates, with whom they traded votes, to be large so that they could control more voters? Or did they prefer to have their tribes small so that there were fewer voters to manipulate? Did they add citizen colonies and groups of old and new citizens to their own tribes, or did they seek to place such groups either in contiguous tribes or in other tribes of which the district makers were seeking to gain control?

To answer these questions we must consider the Roman assemblies and the effect that changes in the centuriate assembly had on the voting system. We shall have to go back to the dark period of the early republic when the tribes were not yet voting units, and when the chief function of the patricians in the tribes was perhaps the thankless task of raising men for the annual levy, a task with which tribunes of the plebs constantly interfered. Voting took place not in the tribes, but in the *curiae* organized under the *gentes*, originally, it is said, the elective body even for plebeian officers, and in the military assembly of the centuries which chose the major officers of the state. There the tribal *gentes* had no direct advantage from their tribes, for the influential votes were those of the eighteen centuries of *equites* and the eighty centuries of *pedites* of the first class.[3] These *pedites* had property valued in late republican currency at 40,000 sesterces, representing perhaps twenty *iugera* of land. The *equites* and the *pedites* of the first class had a clear majority of the 193 votes in the assembly, and the four lower classes of *pedites* were often not even called to vote. According to Livy, the centuries as well as the *curiae* were controlled by the patricians through their clients.[4] The clients, to exercise such power, must have been well distributed in the first class centuries. The Fabii, to name the tribal *gens* with the largest number of consuls before 471, could hardly have had many clients with high land allotments in the limited space of the Fabia tribe, and we can imagine that the leading men of the house would have maneuvered to distribute their more prosperous clients in various tribes where land was available.

The law of 471, carried under the influence of the tribune Volero Publilius, which transferred the election of plebeian officers from the *curiae* to the tribes, created a new situation. Livy says that it took away from the patricians the power of electing through their clients the tribunes of the plebs whom they desired,[5] and there may be a

[3] See my *ComCent*, with bibliography given there.

[4] For the clients in *curiae* and centuries, see Botsford, *RAss* 24 ff., 262, n. 2, 271, 276, and Mommsen, *RF*, 1. 355–85 and *RSt*, *passim*. Later discussions are valuable chiefly for theories on the *clientes*.

[5] 2. 56. 2–3: rogationem tulit <Volero> ad populum ut plebeii magistratus tributis comitiis fierent. Haud parva res sub titulo prima specie minime

germ of truth in the statement, for the patricians would have had no voting organization in the tribes.

The voting power of the tribes increased steadily after 471. Under a somewhat different organization, the tribes acquired the right of electing regular magistrates of lower rank, the quaestors in 447 and, later, the curule aediles, the majority of the twenty-four military tribunes, and various special officers. The tribes also obtained an increasingly important role in legislation, a role that, after the Lex Hortensia of 287, eventually became almost a monopoly, even for laws proposed by consuls and praetors.

The nobles now had to organize the tribal vote, and they proved equal to the task. They took steps to establish control of new tribes. That is, I think, the explanation of the transfer to new tribes of patrician and early plebeian nobles (Chap. 15), who received land grants with the plebs in conquered territory. Thus, branches of the Claudii, Sergii, and probably Cornelii and Manlii were enrolled in Veientane tribes, perhaps when the tribes were created in 387. Such transfers continued as new tribes were organized in the next century and a half. Members of old patrician houses and of the new plebeian nobility thus became leading men in the new tribes.

A blatant attempt to obtain control of the entire tribal vote was made by the patrician censor of 312, Appius Claudius, when he registered in all the rural tribes the lowly men, and particularly the freedmen, who either had not been registered at all or had been confined to the four urban tribes (Chap. 10). The move, which had no immediate effect on the centuries, led to success for the party of Appius both in votes on laws and in an election by the tribes to the curule aedileship, but it roused such resentment that Appius' registration was annulled by other censors a few years later. Subsequent censors followed the example of Appius, but their registrations were in turn annulled, and the freedmen and, for a time, the freedmen's sons remained second-class citizens, either not registered at all or limited to the four urban tribes.

The newer tribes, many of which increased in size through the addition of old and new citizens in adjoining territory, must have had more potential voters than the older tribes.[6] The larger numbers, even if they came to the comitia in Rome, had little influence on the vote of the tribal assembly, where the tribe, whatever the number

atroci ferebatur, sed quae patriciis omnem potestatem per clientium suffragia creandi quos vellent tribunos auferret. Cf. Dion. 9. 41. 5.

[6] My indebtedness in this discussion to Herzog, and particularly to Fraccaro, is recorded in my *ComCent.* See especially 348, n. 31. Fraccaro's inaccessible article on the reform of the *comitia centuriata* is now reprinted in *Opusc* 2. 171–90.

of voters, was the unit. But the situation must have been different in the centuriate assembly where the voters who counted were the members of the first class, for there must have been more men in the first class in newer tribes.[7] Although the initial land grants in the tribes, usually two to seven *iugera*, had put men in the lower classes, the acquisition of additional land was probably easier in expanding new tribes, where land was more abundant and men were less tenacious of their holdings than they were in the immediate vicinity of Rome. The censors and nobles would, moreover, have encouraged men to increase their holdings, because more recruits of the first class—the men with full armor—were needed for the legions. Thus, the new tribes would soon have had more men than the old tribes to distribute in the mixed tribal centuries of the first class, and, though they did not vote as a unit, would have had more influence on the election of major officers.

This increase of men in the first class in the newer tribes may be one of the reasons why there was sometimes objection to the formation of additional tribes. The first sign we have of the opposition (Chap. 5) is the delay of thirty years between Camillus' capture of the Pomptine land and the organization of the Pomptina tribe in 358. The plebs had been demanding the distribution of land and charging that it was exploited by the patricians, who undoubtedly derived economic advantages from the maintenance of the land as *ager publicus*. The organization did not take place until nine years after the Licinian-Sextian laws. The fact that the Poblilia, which bore the name of the man credited with making the tribes a voting body, was instituted at the same time, suggests that the creation of these tribes was a plebeian victory.

There was even greater opposition and longer delay before the Velina and the Quirina were organized in 241 out of land conquered in 290 by M'. Curius Dentatus. The reason for the delay in this case, as Fraccaro and others have seen, was that the nobles feared an increase in the power of the conqueror, a man of municipal origin. He had already distributed the land he had won, and he would have gained great influence in the new tribes, and, as time went on, would have had an increasing number of men of the first class devoted to his interests. The many new men who were rising in this period, some of them to repeated consulships and to censorships,[8] gave the established nobility reason to fear such influence.

As a municipal man, perhaps from Nomentum, Curius must have caused misgivings to the Roman consular families who had seen the

[7] For my view that the custom of bringing to the comitia the voters of the first class goes back to early times, see Chap. 1, with notes 32–33.

[8] See *ComCent* 348, n. 30.

spectacular rise of the Tusculan Fulvii, and were now seeing other Tusculan families seek the consulship. It seems to me possible that a large contingent in the first class from Tusculum's tribe, the Papiria, may account in part for the success of the Tusculani (a success without parallel in other municipalities) in breaking into the Roman nobility. The story of Tusculum's rise is worth considering in some detail.

The Tusculani are the first people for whom, as a group, a grant of citizenship is recorded in the republic, and the grant is said to have been made through the influence of the great M. Furius Camillus.[9] After finding Tusculani among his Volscian prisoners in 381, he led an expedition to Tusculum. The Tusculani, according to the story (Livy 6. 25–26), threw open their gates and offered no resistance, and Camillus encouraged the people to go to Rome to plead for pardon. They were given pardon and, shortly later, citizenship, a grant that Plutarch (*Camill.* 38. 4) attributes to Camillus' influence. The Furii seem to have been patrons of Tusculum, and some of them, to judge from old inscriptions of the town, were probably in the Papiria tribe.[10]

In spite of the grant of citizenship, the Tusculani joined the great Latin revolt of 340. When the Romans were victorious, the consul of 338, L. Furius Camillus, grandson of the great Camillus, is represented as the leader in obtaining generous treatment for the Latins. The particularly favorable arrangements made for the Tusculani, in spite of their revolt, are probably to be attributed to his inherited relations as patron of the people. Livy's statement in a remarkable chapter (8. 14) is: Tusculanis servata civitas quam habebant crimenque rebellionis a publica fraude in paucos auctores versum. The land of the men responsible for the revolt, who were perhaps more numerous than Livy suggests, was surely confiscated. It may be that the two great plebeian families, the Marcii and the Plautii, whose descendants were registered in the Papiria, received land grants in the Papiria and transfer to the tribe at this time, though it is also possible that they were already in the Papiria. In spite of the small extent of Tusculum's territory,[11] there may have been enough confiscated territory for distribution to loyal Tusculani to provide more men in the first class of the Papiria than in other rural tribes. A strong voting contingent,

[9] On the original grant of citizenship to the Tusculani, see Chap. 7, with n. 3, and the Furii, Chap. 13.

[10] The great Camillus would probably have been registered in a Veientane tribe (see Chap. 13 and Chap. 15, text with n. 14). Perhaps his colleague on the expedition, L. Furius, was enrolled in the Papiria.

[11] Beloch's estimate of Tusculum's territory (*RG* 211 f., 620), as interpreted by Fraccaro, *Opusc* 2. 188 f., is 50 square kilometers. Perhaps the territory of Labici was also in the Papiria. See Chap. 4, with n. 21; Chap. 7, text with n. 2.

combined with the influence of L. Furius Camillus (who held a second consulship in 325) and of the Marcii and Plautii, may have led other nobles to court the favor of the Tusculani. That would explain the fact that, fifteen years after the settlement, a Tusculanus, L. Fulvius Curvus, ventured to present himself, with the greatest man of the Fabian house of that day, as a candidate for the consulship.[12]

A curious incident of the year 323 is to be associated with Fulvius' candidacy. A tribune of the plebs, M. Flavius, brought up a bill charging that the Tusculani had incited the Veliterni and the Privernates to make war on Rome, and proposing that the Tusculani of military age should be slain and the women and children should be sold into slavery. This bill, making charges that went back to the years 341–40, was, as Mommsen recognized, an attack on the citizenship of the Tusculani, but he did not suggest that the bill was associated with the candidacy of a Tusculanus for the consulship for the next year.[13] It was, I believe, designed to destroy the power of Tusculum in the centuriate assembly. The attempt was unsuccessful. In the vote on Flavius' bill all the tribes except one yielded to the prayers of the Tusculani and voted in the negative. The exception was the Pollia, the tribe, I hold, of the tribune M. Flavius, and afterwards, Livy says, candidates in the Pollia seldom carried the Papiria.[14] Fulvius was elected to the consulship, to be followed in the next eighty years by five more Fulvii, a Coruncanius, and three Mamilii from Tusculum.

Although powerful elements in the nobility, as well as the great majority of the people, had supported Fulvius and the Tusculani, the ruling class, jealous of its hold on the consulship, would not have wished other municipalities to be as successful as the Tusculani had been in storming the fortress of the nobles. That is surely one of

[12] See Münzer, *RA* 64 f., where he emphasizes the association of Fulvius with Q. Fabius Rullianus. Münzer's view, based on the unreliable details in Pliny, *N.H.* 7. 136, that Fulvius, as leader of the Tusculani, was "gleichberechtigt" with Roman leaders is unlikely. Close relations between Fulvius and the Aemilii are indicated by the fact that he was *magister equitum* of the dictator L. Aemilius Mamertinus in 316.

[13] See the Furii and M. Flavius, Chap. 13. The charge against the Privernates would go back to 341, rather than to the war of 329 when Velitrae was Roman territory. The charge of the tr. pl. of 63, T. Labienus, against Rabirius went back even further into the past.

[14] Livy 8. 37. 12: Memoriam eius irae Tusculanis in poenae tam atrocis auctores mansisse ad patrum aetatem constat nec quemquam ferme ex Pollia tribu candidatum Papiriam ferre solitum. The words *ad patrum aetatem* show that the statement was no longer true in the docile Augustan tribes; it probably was not true in Caesar's day, when the decline of voters from Tusculum is attested by Cicero, *Planc.* 19–23.

the reasons for the persistent opposition to M'. Curius Dentatus, another municipal man. The nobles would not have wished to see large delegations of the first class from the other municipalities which had been enfranchised after the Latin War.

But as long as the first class centuries were mixed tribal groups, the nobles, while guarding against a strong first class from any one municipality, would have wished their tribes to be large, with a goodly contingent in the first class. The desire of men in small rural tribes to increase their first class voters may explain why, in the period when they were preventing the establishment of new tribes in the area of Curius' conquest, separated divisions were created in several tribes which could not be enlarged on their original sites (Chap. 7). These new divisions were not established arbitrarily. They maintained the official order of the tribes by placing the new divisions in the same orientation from Rome as the original tribal area. Since the divisions did not violate the official order of the tribes, they could perhaps be made by censors without special action of the people.

The impossibility of enlarging some of the small tribes, either by direct extension or by " orientation, " may have been one of the reasons for the reform of the centuriate assembly. I attribute the reform to the censorship of 241–40, when, nearly thirty years after the death of Curius, the last two tribes were finally organized. There were other factors that led to the reform—for instance, a desire of the nobles to avoid two types of political organization, a local one for the tribes, and another, based on relations with soldiers and veterans, for the military centuriate assembly.[15] The nobles had in recent years been more successful with the tribes than with the centuries, and they probably preferred a system that depended entirely on the local associations of the tribes. Hence, in the reformed centuriate assembly, while some admixture of tribes was maintained in the lower classes, first class centuries composed of men from a single tribe were instituted. For the eighty mixed tribal centuries were substituted seventy first class centuries, two from each tribe, consisting of the men of military age and of the older men. The reduction of the total number of centuries in the first class, with the result that the second class had to vote before a decision was reached, and the provision that a first class century chosen by lot should replace the *equites* in casting the influential advance vote, provided a seeming democratization of the assembly.

But the democratization was not genuine, for there was such inequality now in the value of the individual vote within the first class centuries that there was wider scope for the manipulation of the centuries. The centuries of old tribes like the Lemonia and the Romilia, which had had no significant additions, would now have many fewer

[15] See my *ComCent.*

men at the comitia than those of the newer rural tribes which were not far away from Rome, or those of tribes like the Papiria and the Horatia, to which had been added a considerable group of voters close at hand in Tusculum and Aricia. Particularly advantageous for the nobles was the situation in the urban tribes. If, as I believe, the freedmen were not, in general, in the five classes of the *pedites*, the first class centuries of the urban tribes resulting from the reform might be described as " rotten boroughs. " There would have been a few senators and knights in the Palatina and the Collina, but probably almost no one in the Suburana and the Esquilina. These centuries may have been filled for the comitia by small groups from other tribes, assigned by the presiding consul,[16] and the power of making such assignments may be a reason for the influence which the consul in charge often had over the choice of his successors.

The reform, which introduced a marked inequality in the individual vote within the first class centuries, actually worked to the disadvantage of new men. There were fewer elected in the half century after 241, and a marked diminution of the new men who, chiefly through military glory, reached repeated consulships and also censorships. There were fewer municipal men too. The Tusculan Fulvii had been established as a great house of the plebeian nobility, and, in the next century before Tusculum began to decline as a municipality, two other families from there, the Porcii Catones and the Iuventii, reached the consulship. But there are no certain instances in the period of consuls from other municipalities.[17]

The reform of the centuriate assembly had been based on the assumption that no more tribes were to be created, and though there was an unsuccessful attempt to make new tribes after the Social War, none ever came into being. Henceforth extension and divisions of the rural tribes in existence served as units of registration both for new citizens and for old citizens who received allotments from *ager publicus*. Direct extension of the tribal areas was the common practice. By the end of the second century, at least eight of the later rural tribes had been increased in extent, and several of the older rural tribes had acquired new divisions or a wide extension of an earlier division—an extension which for the Pollia led to inordinate growth of numbers in the tribe. The new divisions, though still based at times in the early second century on orientation, disregarded it more and more often and eventually abandoned it. What were the motives of the district makers in deciding whether to extend a tribe or to make

[16] Cic. *Sest.* 109 (cf. Mommsen, *RSt* 3. 408); *Tabula Hebana,* line 33, with note of Oliver and Palmer (cited Chap. 1, n. 25).

[17] The Opimii, consuls 154 and 121, may have come from Aricia. See Chap. 13 and Chap. 15, with notes 25–27.

a new division, and what was the basis of the selection of a tribe to be divided?

Now that every tribe, whatever its size, had equal influence in the centuriate, as well as the tribal, assembly, there was less reason for the nobles to strive for equalization among the tribes. A small tribe was an advantage for a man who had control of his *tribules*,[18] and there may often have been an effort to register citizens in such a way as to give the district maker control of a tribe that was not his own.

Yet a noble's *tribules* were in a sense his clients, and he may have wished to increase the number of men under his patronage by putting adherents in his own tribe. That was why the enfranchised *peregrinus* was usually placed in the tribe of the man whose name he took.[19] Were the tribes of entire peoples and of citizen colonies sometimes decided on that basis? From the time of the emperor Claudius citizen colonies, often composed at that time of new citizens, regularly took the tribe of the reigning emperor,[20] and it has been suggested that there may have been precedents in the republic, at least in the citizen colonies.[21] The colonies then were established by a commission of three men.

I have been unable to find evidence that any republican citizen colony took the tribe of a member of the colonial commission. Most citizen colonies, as has been generally recognized, were in the tribes of the regions to which they belonged. The only exceptions among Italian colonies of the republic whose tribes are surely attested are (Chap. 7) Croton in the Cornelia, Pisaurum in the Camilia, Luna in the Galeria, Fabrateria Vetus in the Tromentina, and Buxentum and Dertona in the Pomptina. For the first three the names of the colonial commissioners are known, but the tribes of the colonies are not identical with any of the tribes recorded for the commissioners'

[18] There could, of course, have been rivalry for control of a tribe, such as must have existed when Caesar, L. Domitius Ahenobarbus, and Q. Caecilius Metellus Scipio were all in the Fabia.

[19] See Chap. 2. The numbers were probably not large. L. Cornelius Balbus, though enfranchised by Pompey, took the *nomen* of a Cornelius who was probably on Pompey's staff. See the list of *singillatim civitate donati* in Badian, *FC*, Appendix B, where, however, I should question the inclusion of some of the names, notably that of L. Sulpicius Q. f. Q. n. Col. of *CIL* 1^2. 2274, who may well have been a Roman serving in Spain.

[20] Claudius' colonies were sometimes in the Claudia, as well as in his tribe, the Quirina. See Appendix.

[21] In general, large groups of citizens, usually, perhaps always in this period, *cives sine suffragio*, were placed in adjoining tribes. The tribes of the Formiani, Fundani, and Arpinates, which were decided on a different basis, will be considered below.

houses.[22] Colonies in Italy founded by Sulla, Caesar, and the triumvirs kept the tribes already established on the sites. Not one of Caesar's overseas colonies is in his tribe, the Fabia, and only two of Augustus' many foundations are in that tribe—Berytus and Heliopolis in Syria. Nor can it be proved that any of the small *fora*, market-places on the roads, the only Italian communities earlier than the first century which bore the name of Roman leaders, were in the tribes of the men for whom they were named. Most of the *fora* whose tribes are known are, like the citizen colonies, in the tribes of the regions. The exceptions are two *fora* placed in territory where no previous Roman settlements are known. One of them is Forum Livi, on the line of communication which later became the Via Aemilia. It was in the Stellatina,[23] but the tribe of the Livii Salinatores, who seem to have been responsible for the settlement, was the Pollia, the tribe which was extended later through the region. The other exception is Forum Flamini, established probably by Gaius Flaminius when the Via Flaminia was built in 220. It was in the Oufentina.

In view of the fact that after the Social War the tribes of Marian-Cinnan leaders were given to certain enfranchised Italians, it is possible that the Oufentina, also found at neighboring Plestia, was the tribe of Gaius Flaminius, and that there were other cases before the Social War of the award of a man's tribe to people under his patronage. But it is also possible that the Oufentina in these two towns and the Pupinia of the unlocated Forum Brentanorum in Umbria, both assigned before the Social War, represent an attempt on the part of Gaius Flaminius to gain strength in certain tribes by adding to the men who would be under obligation to him.

Stronger indications of such an attempt to obtain power in rural tribes are to be found in the activity of the elder Scipio Africanus. By a settlement of his veterans in Samnium and Apulia, Scipio had already

[22] In the commission for Croton (Livy 34. 45. 4) Cn. Octavius was probably in the Aemilia, the second man, L. Aemilius Paullus, perhaps in the Palatina. C. Laetorius' tribe is unknown; the Velina of the Laetorius in small type in Chap. 13 cannot be taken as the tribe of the house. For Pisaurum (Livy 39. 44. 10), the tribe of Q. Fabius Labeo is unknown; the two Fulvii were presumably in the Papiria. For Luna (Livy 41. 13. 4–5) the tribe and the identity of P. Aelius are uncertain; M. Aemilius Lepidus was almost surely in the Palatina, and the tribe of Cn. Sicinius is unknown. As I suggested in Chap. 7, the tribe of Luna may have been determined by orientation. The same thing was probably true for Buxentum (194), where the names of the commissioners are uncertain.

[23] My suggestion (Chap. 7) is that this tribe was determined by orientation. It is, however, to be noted that the Stellatina had already been expanded.

acquired voters in two unidentified rural tribes,[24] when in 189–88, a census period, two tribunicial laws were passed that are, I believe, to be attributed to an effort on his part to restore his declining political fortunes.[25] One these laws concerned the enrollment of the Formiani, Fundani, and Arpinates, who were raised to full citizenship. They could probably have been put in adjoining tribes, the Teretina and the Oufentina, without special action, but there was a bill to place the first two peoples in the Aemilia and the third in the Cornelia, two old rural tribes, the former, as far as we know, without earlier additions. The bill was presented to the people without the authority of the senate—a sign in itself of Scipionic support for it, for he was at odds with the senate at this period. Four tribunes were found to veto the bill, but were finally persuaded not to interfere with the rights of the people over citizenship.[26] The tribune who proposed the bill, C. Valerius Tappo, was apparently a brother of the L. Valerius Tappo who, as tribune in 195, proposed the Oppian Law, and was vigorously, but unsuccessfully, opposed by the consul M. Porcius Cato. The two brothers may well have been adherents of Cato's enemy Scipio, who was credited with responsibility for the foreign luxury which Cato, to judge from Livy, attacked in his speech against the bill.[27]

In the choice of the tribes for these three peoples Scipio's family traditions may have been the determining factor. There is no evidence for Scipio's tribe, but the Cornelia, which had already had one and probably two, earlier divisions,[28] was the tribe of his *gens* and the Aemilia, not previously divided as far as we know, was the tribe of his wife's *gens*, to which the Scipios were bound by long-standing

[24] See Chap. 7, text with notes 39–41, where either the Voltinia or the Galeria is suggested as the tribe of the settlements in Samnium.

[25] This suggestion and various details in my discussion have been anticipated by J. Bleichen, a fact that I failed to realize until after the manuscript was in the hands of the printer. See the excellent section on "Die Scipionen und das Tribunat" in *Das Volkstribunat der klassischen Republik* (Munich 1955) 68–73. I am not in agreement with Bleichen's views on Gaius Flaminius, pp. 27–37, to whose censorship the reform of the centuriate assembly is attributed.

[26] See Chap. 2, where Livy's account of this bill (38. 36. 7–9) is quoted and discussed in the text. The tribune, who, like C. Flaminius in his *lex agraria* of 232, proposed the bill without the authority of the senate, was a forerunner of the Gracchi. I am indebted here to an unpublished paper of Professor Myra L. Uhlfelder.

[27] On the speech (Livy 34. 2–4), see Scullard, *RP* 257; on the relation of Scipio to the Lex Oppia, see Scullard's important discussion, 113 f.

[28] The divisions were the colony of Croton in the Bruttii (194), perhaps with adjoining land (n. 22 above and Chap. 7, n. 38), and Fulginiae in Umbria. On the date, see Chap. 7, with n. 24.

political associations as well as by intermarriages and adoptions.[29]

The other bill, passed during this same censorship, was surely Scipionic in inspiration, for the tribune who sponsored it was completely devoted to the interests of Scipio.[30] This bill provided that freedmen's sons, who with their fathers had been limited to the four urban tribes, should be distributed in all the tribes (Chap. 10). The bill was passed, and it added to all the rural tribes men who would have been favorable to Scipio. These two measures probably contributed to the success of the Scipionic party in the elections for 187.[31]

In his effort to profit from the votes of freedmen's sons who had been in the urban tribes, Scipio was following the example of another patrician, the censor Appius Claudius, and both of them may have been trying to create for themselves a new type of client (Chap. 10). It may be that the patrician censor of 179, M. Aemilius Lepidus, was following a similar policy, for it was apparently in his censorship that certain groups of freedmen were themselves placed in rural tribes. But the father of the Gracchi put an end to this favored treatment of the freedmen. I have tried to show that, contrary to the usual view, a law on votes of freedmen passed by still another patrician, M. Aemilius Scaurus, improved the votes of certain freedmen, though not perhaps of the entire class.

No other noble seems to have been as successful as Scipio in creating new divisions of tribes. Perhaps by compromises among factions of the nobility, the policy of adding new peoples to adjoining tribes was, on the whole, maintained until the time of Tiberius Gracchus. There was greater inequality in the tribes by that time than there had been in 241. With large tribes in general at a distance from Rome, certain old tribes nearby, the Lemonia, the Romilia, the Pupinia, and also the Pomptina and two tribes in desolate southern Etruria, the Arnensis

[29] On the Scipionic-Aemilian group in politics, see Scullard, *RP passim*. Although I do not accept all Scullard's conclusions about groups in the nobility in the late third and early second century, there can be no doubt of the close relations of these families.

[30] Plut. *Flamin.* 18. See Chap. 10, with notes 23–24. The tribunate of Q. Terentius Culleo, who proposed the bill, is regularly assigned to 189 (see *MRR*), but all we know is that it belonged to the censorship of Flamininus, which would have ended in 188, and it is perhaps more likely that Culleo was a colleague of Tappo in the latter year. Culleo's devotion to Scipio went back to the end of the Second Punic War, when Scipio liberated him from Carthaginian imprisonment. From Plutarch's statement it is likely that this bill, as well as Tappo's, lacked the authority of the senate. Plutarch implies that the censors were opposed to it.

[31] On the relations of the consuls of 187, M. Aemilius Lepidus and C. Flaminius, with Scipio, see Scullard, *RP* 140–42.

and the Tromentina, had been affected by the depopulation of land in the vicinity of Rome. These tribes could have sent only a handful of voters to the comitia. The success of the members of these districts in keeping their tribes small is, I believe, a sign of effective manipulation on the part of the nobility.

An effort to equalize the tribes, which I have noted in the Gracchan period (Chap. 11), is to be attributed to anti-Gracchan elements in the senate who were perhaps making an attempt, after the revolt of Fregellae, to correct certain inequities. They were responsible for the assignment of the citizen colonies Fabrateria Nova (on land of Fregellae) to the Tromentina (124) and Dertona (ca. 120) to the Pomptina, both among the smallest tribes. They would also have been responsible for fixing the tribes of Latin colonies if 124 is the date of the assignment of citizenship and tribes to the magistrates of each colony.[32] The smaller tribes, where the voters from the Latin colonies would have had influence, were, in general, included in the assignment. From Sora in the Romilia there must soon have been a sufficiently large group of ex-magistrates, surely in the first class, to outnumber the few first class voters available from the old tribal area in Latium.

There is no evidence to show how Gaius Gracchus would have distributed the tribes when he proposed citizenship for the Latins and Latin rights for the Italians, but undoubtedly fear of the influence he would have attained in the tribes was strong. There were probably men in the opposition who realized the demoralizing effect of a sudden addition of a large number of voters unfamiliar with the Roman political system.

The idea of creating new tribes which would lessen the influence of new voters may have been discussed earlier, but such second-class citizenship could hardly have been a feature of M. Livius Drusus' unsuccessful attempt to enfranchise the Italians in 91. The law for enfranchisement in new tribes carried by L. Julius Caesar in the following year, with the object of limiting the revolt of the allies, was opposed not only by Italians, but by Roman politicians, and the failure of the censors to register the citizens in 88 is explained by the law of the tribune P. Sulpicius Rufus placing the new citizens in all the tribes (Chap. 8). Strife over the registration of the new citizens was a major factor in the civil war of 88 and 87, which ended with the victory of Marius and Cinna and the reënactment of Sulpicius' laws.

Since their opponents were either slain or reduced to impotence —or were off in the East with Sulla—the tribes of the peoples who had

[32] See Tibiletti, *PCL*, for this explanation for the award of citizenship to the magistrates of Latin colonies.

been enfranchised could be determined by the Marian-Cinnan party without interference. The tribes may well have been settled when in 86, probably in the spring, censors entered upon their office. Signs of the influence of Marius, to be noted later, lead me to believe that the tribes had been determined before the death of Marius on January 13, 86 B.C. The assignments were made, I suggest, by laws of Cinna passed after he reënacted the measures of Sulpicius in 87.

The identity of several tribes of leaders of the period with tribes given to peoples in the revolt indicates that certain peoples were made *tribules* of men with whom they had been in alliance in the civil strife of 88–7. The tribe of Cinna is unknown, but the Cornelia, to which the Arpinates belonged, is established as the tribe of Marius, and the Fabia as the tribe of his brother-in-law, C. Julius Caesar. The Clustumina, the tribe of an Augustan Papirius Carbo, was probably also the tribe of the powerful Cn. Papirius Carbo, consul three times, twice as Cinna's colleague, in 85–82. The Papiria seems to have been the tribe of the censor of 86–85, L. Marcius Philippus. The Cornelia became the tribe of Aeclanum, chief town of the Hirpini, which had incurred terrible punishment as a result of resistance to Sulla in the war. One of its citizens, Minatus Magius, conspicuous for his support of Rome, was granted citizenship during the Social War, and two of his sons were made praetors not later than 82. That speedy advancement indicates that the Marian-Cinnan party, like Caesar later, was ready to advance Italians to high office. There must have been strong support of the Magii, and I suggest that it came from the younger Marius. He may even be the C. Marius C. f., who, as *quattuorvir iure dicundo* of Aeclanum, cooperated with his colleague in a building project that may have repaired damage done by Sulla to Aeclanum.[33] The Fabia was the tribe assigned to the town where the Social War started, Asculum in Picenum, and the town may have been placed under the special patronage of Julius Caesar's father. It is to be noted that men whose families had been in the revolt appear in the party of Caesar some forty years later; one of them, an upstart from Asculum, P. Ventidius, owed to Caesar his advancement to the praetorship. The Clustumina received extensive assignments, including one town which was probably in the revolt, Larinum, between the Frentani and the Samnites, and a series of Umbrian communities in the east Tiber valley. It is uncertain whether any of these latter towns were in the revolt, but there may have been men in them who were opposed to the victors,

[33] *CIL* 1^2. 1721 (9. 1138). On clients of Marius (not including his *tribules*), see the excellent discussion of E. Badian, *FC* 222 f., 233 f., 237 f. The story that Marius and Poppaedius Silo discussed citizenship for the Italians in an interview during the Social War (Diod. 37. 15) is probably apochryphal. See Badian 234, n. 5.

men whom it was desirable to neutralize by placing them under the patronage of the ruthless Carbo.

It is harder to imagine the censor L. Marcius Philippus as the patron of new Italian citizens, for he had been the bitter opponent of the tribune M. Livius Drusus and of the plan to enfranchise the Italians. But, in accepting the censorship, he showed himself to be a collaborator of the victors.[34] The Papiria, to which Philippus seems to have belonged, was the tribe of Tusculum, no longer a flourishing municipality. Its new assignments after the war included besides the two Latin colonies, Narnia and Nepet, the old Latin town Cora in the Volscians, and also Ausculum in Apulia, which had perhaps been in the revolt.

If we knew more about the tribes and the identity of the leaders, we should perhaps find that other new citizens, including men in the revolt, acquired the tribes of prominent political figures. I suggest that that may be true of the south Campanian towns placed in the Menenia, a group which included at least one town in the revolt, Pompeii. One of these towns was Herculaneum, site of the famous Villa of the Papyri, which seems to have belonged to Caesar's father-in-law, L. Calpurnius Piso Caesoninus. His tribe was also the Menenia. Of his share, or that of his family in the civil strife of the eighties we have no information, but it is possible that he, like other close political associates of Caesar, had had Marian affiliations, and that the assignment of Herculaneum and its region to his tribe resulted from special associations with the district.

Certain peoples who had been faithful to Rome in the war were also placed in the tribes of leading men. The striking case is that of Rome's Umbrian allies, the Camertes, the people of Camerinum. Like Aeclanum, it was placed in the tribe of Marius, the Cornelia. There was special reason for the tribe, for Marius had enfranchised two cohorts of the Camertes for bravery in the Cimbric War,[35] and he therefore had clients in Camerinum. These men may even have taken the name and tribe of Marius, thus providing a nucleus of Camertes in the Cornelia. Although the evidence is uncertain, the Cornelia probably became the tribe of Herdoniae and Teanum Apulum in Apulia, acquiring at least six divisions, more than are known for any other tribe.

The influence of the men in power can also be seen in the maintenance of small numbers of voters in certain tribes, with consequent increase of the value of the individual's vote. It seems to have been accepted policy to avoid placing large numbers of voters in the tribes assigned to Latin colonies. Among these, Sora was in a particularly strong position, for it had practically a monopoly of the voters in the

[34] See E. Badian, *FC* 242, 278, n. 2.

[35] The major source is Cic. *Balb.* 46–50. See Badian, *FC* 206, 260 f.

Romilia.[36] The reason for the favor accorded to Sora is, I think, to be found in its site, directly adjoining the home of Marius in the territory of Arpinum, where the monastery of Casamari still bears Marius' name. Marius, I suggest, compensated for the enlargement and the unwieldy divisions of the Cornelia by keeping the Romilia small. The close relations of neighbors in delivering the vote of various tribes in this region is attested in Cicero's *Pro Plancio*.

The wide variety of tribes in Etruria, a region conspicuous for its support of the Marians, and the diversity of tribes in the towns of Umbria not placed in the crowded Clustumina, are perhaps to be explained as a reward for loyalty. Some of these towns, like Volaterrae in the Sabatina, which Sulla deprived for a time of its citizenship, must have acquired great strength in the comitia.

It is possible that some of the tribes to which large groups of the peoples who had revolted were added were chosen with the design of wresting control of these tribes from Sullan leaders. It is to be noted that the Arnensis, previously a small tribe, to which the Frentani and the Marrucini were now added, was the tribe of two important Sullan families, the Claudii Marcelli[37] and the Pompeii Rufi.

It is hard to find a consistent plan in the assignments. Extensions of old tribes to peoples in the ethnic group already represented in the tribe were accompanied by enlargement of tribes through the addition of new citizens as *tribules* under the patronage of leading men, and also by deliberate limitation of some tribes, to provide more favorable voting rights for certain peoples. The assignments bear the mark of hasty action. It would certainly have been possible, as well as advantageous for the future, to avoid many of the new divisions of tribes.

Yet there was some wisdom in the general plan. It was wise to keep together in ethnic units the central Italians who lived mainly in villages. It was also wise to substitute for old tribal units new municipalities, for already municipalities had taken on functions which had once belonged to the tribes. In accepting the arrangements Sulla also showed wisdom, for changes in tribal areas were against Roman traditions, and an attempt to create a more equitable distribution would have led to fresh disturbances.

For Italy south of the Po the tribes were all fixed by the time Cicero's detailed information on political organization begins. The efforts of demagogues to register freedmen in the tribes of their former masters were fruitless. There is one uncertain indication of a new

[36] If an effort was made to distribute the jurors in public courts equally among the tribes (see Chap. 15, with notes 33–35), the Sorani would have had the advantage of having many men on the jury lists.

[37] See particularly Claudius 214, *RE*.

tribal assignment south of the Po in the years 82–44. It is the appearance of the Voltinia as a second tribe in several communities in the Clustumina, which I have tentatively attributed to Caesar's land grants of 59 and later. The object would have been to avoid increasing Pompey's tribe, the Clustumina, and to secure another election district favorable to Pompey, and at the same time to Caesar. If the assignment goes back to Caesar, it is the first example we have of a double tribe in Italy, a precedent for the establishment, which I attribute to Nero, of the Quirina as a second tribe of Antium.[38]

The struggle over the enfranchisement of the Transpadani, who had been granted Latin status by Pompey's father, was the great tribal question of this period. I have argued (Chap. 9) that the assignment of the tribes in which the ex-magistrates of the fictitious colonies were to vote was made not later than the censorship of 70–69 which was carried out under the influence of Pompey. The tribal arrangements, providing for increases in the Romilia and other small tribes, would have contributed to Pompey's power in the comitia. Later, during the decade of the Gallic proconsulship, voters from these peoples who went to Rome for the comitia were useful to Caesar, in the end against Pompey. Caesar himself, after granting citizenship to the Transpadani in tribes that in my view had already been fixed, showed no interest in wide tribal distribution. Most of his overseas colonies were placed in groups in tribes that were already large.

Actually, Caesar had no real interest in the voting power of the tribes which had given him his great political victories. While building a splendid structure for the tribal assembly, he treated the Roman assemblies with contempt. He was a realist, and he had reason to know that the old Roman voting system could not survive the great increase in the voting districts that had followed the Social War. More than any statesman of the republic, he was interested in the Romanization of Italy, which the enrollment of the Italians as full citizens in the rural tribes had failed to accomplish. Caesar accomplished it by bidding the tribal units, no longer subjected to rival influences, to elect to magistracies, and even to the consulship, men from all Italy as far north as the Alps.

* * *

The balance of voting groups in a state where the vote is powerful cannot be changed without political strife, and there is undoubtedly a long unrecorded story of such strife in Roman politics. I have tried

[38] See Appendix. If the Voltinia was the tribe of the Aurelii Cottae, Caesar's relative and close associate, L. Aurelius Cotta, cos. 65, may have been responsible for the choice of tribe.

to reconstruct episodes in the story—the vain effort to disfranchise the Tusculani in 323 and the not unsuccessful attempt of the elder Scipio to gain influence over voting groups in 189–88. The fullest records we have concern the efforts of nobles—mainly patricians—to distribute the freedmen in all the tribes. There is some information on the delays in forming new tribes—delays that remind one of the recent arguments over statehood for Alaska and Hawaii. But for the story of the fifty year interval between the conquests of M'. Curius Dentatus and the organization of the last two tribes, with the consequent reform of the centuriate assembly, our best source, Livy, fails us. The lack of evidence for the arguments over the great distribution in 90–85 is less serious, for the question then was new tribes versus old tribes, and the final settlement in old tribes was carried out solely in the interests of the Marian-Cinnan party. It is to that time and to the period when new tribes were being created that the information collected on the tribes of senators makes the chief contribution. With full realization of the inadequacy of the historical sources, and of the incompleteness of the evidence for tribes of senators, and for both tribes and dates of enfranchisement of Italians, I summarize my conclusions on the procedure of the district makers in determining tribes.

The original method of assigning tribes to large groups of old citizens receiving land grants was the creation of new tribes in which leading men of the state also acquired land and registration. For new citizens the normal method was to enroll them in an extension of a rural tribe or, sometimes in the third century, in a new division of an old tribe which was in the same direction from Rome as the original tribal area. Before the reform of the centuriate assembly, which I date with the organization of the last two tribes in 241, there was some attempt to equalize the tribes, but the attempts diminished after that time because the ruling nobility derived advantage from the small groups of voters in certain tribes. Later, the direct expansion of existing tribes or of tribal divisions was the common method of registering old citizens on public land, as well as newly enfranchised peoples. Such assignments were perhaps accepted by the nobles to avoid the increase of small tribes over which they had control. Some new divisions continued to be made, sometimes through the first quarter of the second century based on orientation, but often, and regularly after that time, in conflict with it. Special interests intervened. That was markedly true of the assignments of 189–88 which I attribute to the elder Scipio's struggle to recoup his political fortunes. Although it was customary to place the *peregrinus* in the tribe of the Roman whose *nomen* he took, there is no sure evidence before the Social War that newly enfranchised peoples or citizen colonies were put in the tribes of the men who were responsible for the award of citizenship or who were founders of the colonies. The nobles apparently did not wish

to pack their own tribes with voters, and the tribes remained unequal, with the largest, in general, far from Rome. But after the Social War several Italian peoples, most of them members of the revolt, were made *tribules* of leading men, who thus foreshadowed the policy of Claudius and later emperors on tribal assignments. The policy of the Marian-Cinnan party was not consistent. There was much attention to ethnic groups who, particularly in central Italy, were often placed in a single tribe; there was also favoritism to certain towns, among them Latin colonies, whose tribes were kept small. The addition to some of the smallest tribes of the towns with Latin rights north of the Po is to be attributed not to Caesar, but to Pompey, who, in the censorship of 70–69, sought to increase his strength in voting districts. Caesar had no interest in the distribution of voters. From the first election of the dictatorship, the tribes, with the rest of the constitutional trappings, were nothing but a sham.[39]

> Namque omnes voces, per quas iam tempore tanto
> mentimur dominis, haec primum repperit aetas,
> .....
> ..... Fingit sollemnia Campus
> et non admissae dirimit suffragia plebis
> decantatque tribus et vana versat in urna.

[39] Lucan 5. 385–394.

APPENDIX

ADDENDA

APPENDIX

THE TRIBES OF ANTIUM AND OTHER COMMUNITIES WITH TWO TRIBES

The Quirina is clearly established as the tribe of Antium in the Empire. It is the tribe of two soldiers who give Antium as their *domus* and it is recorded in five local inscriptions, two of which give the names of municipal magistrates in that tribe.[1] The Quirina was listed as Antium's tribe by Mommsen in *CIL* 10 (p. 661, published 1883) and by Kubitschek in both of his books on the tribes (1882, 1889). But the difficulty is that Antium was made a citizen colony in 338, and the Quirina was not organized until 241. What of Antium in the intervening period? Kubitschek solved the problem by his theory that members of early citizen colonies were not assigned to a single tribe, but were left in their original tribes. Mommsen in 1887 (*RSt* 3. 165, n. 2) rejected this explanation and, discarding his own earlier view, assigned Antium to the Voturia on the basis of a soldier in that tribe (*CIL* 10. 6672) who was a member of the colony established by Nero at Antium.

The inscription is not conclusive evidence for the tribe of Antium, for, as Mommsen suggested in *CIL* 10, the soldier may have retained the tribe of his original *domus*. But there is further evidence for the Voturia at Antium in an inscription published as a stone of unknown provenience in *CIL* 6, and now known, on the excellent authority of Francesco Bianchini, to have come from Antium.[2] It is a dedication to Tiberius of 36–37 A.D. set up *pro ludis* by L. Scribonius L. f. Vot.

[1] *CIL* 6. 2725, 37189 (*ILS* 2034) records a legionary veteran who had also served in the praetorian cohort, and then, presumably after settling at Antium, had been recalled by Vespasian. The other is a soldier in an urban cohort. See *Ann. Epigr.* 1931, no. 90. The inscription, in the court of the American Academy in Rome, was first published *MAAR* 9 (1931) 96, no. 16; on its importance see G. Forni, *Il reclutamento delle legioni* (Milan, Rome 1953) 169 n. 1. There are two veterans in the Quirina recorded in the inscriptions of Antium, *CIL* 10. 6671, 6674. The second, a *decurio* of Antium, came from Forum Iuli. No town of that name is known to have been in the Quirina. See also 6666. For a *quaestor, aedilis, duumvir* in the Quirina, see 8295 whose origin from Antium is probable. 6744 from Antium is a fragmentary record of the Quirina.

[2] *CIL* 6. 903, cf. p. 3070. The inscription is republished in *ILS* 160, where the origin from Antium is noted. For the evidence, see *Ephem. Epig.* 8, addit. to *CIL* 10, no. 898. The stone, now at Verona, was once in the Museum Albanum in Rome. Francesco Bianchini published the Fasti of Antium discovered by Cardinal Alessandro Albani in his excavations of 1712.

Celer aedil(*is*). The origin of the stone from Antium is supported by the occurrence in local inscriptions of *aediles* and of an L. Scribonius, a rare name in the empire.

But another inscription in *CIL* 6 (13470), which, like the record of L. Scribonius, has not been noticed in discussions of the tribe of Antium, gives the Camilia as the tribe of a man whose *domus* was Antium: C. Baebius L. f. Camilia domo Antio vix. annis XLI fecit C. Baebius Atimetus libertus patrono suo benemerenti. [3] The varying *cognomina* of father and son indicate a date not later than the early empire.

Thus there are two possibilities for the tribe of Antium to add to the abundant evidence for the Quirina, and both the Voturia and the Camilia are attested for the early empire. The choice between the two is difficult, for there is evidence elsewhere both for men in tribes other than those of their *domus* and for municipal magistrates not in the tribe of the *domus*. On the whole the municipal magistrate seems to me to give a more dependable indication of the tribe, especially because it is confirmed in this case by another name in the Voturia. This was the tribe of Ostia, and it was, I think, extended down the coast to Antium.

But the much more abundant testimony for the Quirina needs to be explained. I suggest that it was a secondary tribe of Antium, given to the veterans settled in a colony there by Nero soon after his accession.[4] Antium had become depopulated and Nero was interested in it because it was his birthplace, and was trying, vainly as it turned out, to repopulate the deserted region, largely occupied by imperial estates which had existed there since the time of Augustus (Suet. *Aug.* 58). The assignments to veterans perhaps came mainly from imperial land, though the one veteran in the Voturia suggests that

[3] The inscription is apparently lost and its place of discovery is unrecorded. Henzen and Huelsen, editors of *CIL* 6. 2 (published 1882) note "propter tribum, cf. Vol. X, p. 661, 989, quo loco huius tituli mentio facta est." But there is no such mention in Volume 10 (published 1883). The lack of any index of *CIL* 6 except the *index nominum* (unfortunately without tribes) explains the lack of knowledge of this inscription. It is indicative of the perfunctory character of Huelsen's articles on Italian geography that he makes no mention of the inscription in his article on Antium, *RE*.

[4] See Suetonius, *Nero* 9, where, among other acts of the beginning of Nero's reign, is the statement: Antium coloniam deduxit ascriptis veteranis e praetorio additisque per domicilii translationem ditissimis primipilarium. Tacitus, *Ann.* 14. 27, mentions the colony under the year 60, where he notes the failure of Nero's effort to repopulate Antium and Tarentum; veterani Tarentum et Antium adscripti non tamen infrequentiae locorum subvenere, dilapsis pluribus in provincias, in quibus stipendia expleverant; neque coniugiis suscipiendis neque alendis liberis sueti orbas sine posteris domos relinquebant. There is a further comment on the failure to settle entire units in these colonies.

some of it came from other sources. The tribe chosen for the new assignments, the Quirina, the personal tribe of Claudius [5] and Nero, and the Claudia, named for their *gens*, are the regular tribes of Claudian colonies. [6] The inscriptions of Antium indicate that the Quirina largely replaced the Voturia, which I consider the old tribe of Antium.

The Claudia is the only tribe attested in the scant inscriptions of Tarentum which was colonized at the same time (and for the same purpose) as Antium (*CIL* 9. 250, 252). It is usually considered to be the original tribe of the Colonia Neptunia placed beside Tarentum in the Gracchan period, and also of Tarentum itself, enfranchised after the Social War. It is possible that it was, for the Claudia is the tribe of Barium and Caelia and of the Latin colony Luceria in the region. But it is also possible that the two occurrences of the Claudia at Tarentum belong to Nero's colony. In that case the original tribe of the Colonia Neptunia and of Tarentum is unknown.

The Claudia is also the tribe of the colony placed, probably by Claudius, at the fleet station Misenum.[7] This territory had once belonged to Cumae and had also been largely absorbed by imperial estates. In this instance two tribes did not exist in one community, for there was a new colony at Misenum.

Three communities in the widely extended Clustumina, Tuder and Carsulae in Umbria and Larinum on the edge of Samnium, appear to have a second tribe, in each case the Voltinia.[8] In the inscriptions of Tuder there are five names in the Voltinia, one of them that of a military tribune; one of the names lacks *cognomen*, a sign of date not later than the early empire. In addition a praetorian in an inscription of Rome is listed in the Voltinia, with Tuder as his *domus*.[9] From Carsulae near by there are three men in local inscriptions in the Voltinia.[10] From Larinum, the home of Cicero's client, A. Cluentius Habi-

[5] See Claudius, Chap. 13 and discussion of the tribes of the Claudii, Chap. 15.

[6] See Kubitschek, "Die Tribus der claudischen Städte" *Wien. St.* 16 (1894) 329–35.

[7] *Ibid.* Mommsen, *CIL* 10, p. 317, finds in the Claudia tribe the reason for believing that the colony at Misenum was established by Claudius.

[8] I am indebted to Dr. Martin W. Fredericksen for calling my attention to the evidence for the Voltinia at Tuder and Larinum.

[9] *CIL* 11. 4649 (no *cognomen*), 4676, 4756, 7860; *CIL* 11. 4748, T. Popilio T. f. Vol. Albino Tuder, praef. coh. I Alpinor., trib. leg. VII Gem. etc. For the praetorian, see *CIL* 6. 2559, C. Attio C. f. Vol. Severo Tuder, mil. coh. V pr.

[10] *CIL* 11. 4602, 4609, 4615. The Pupinia also occurs at Carsulae in 4575 and 4615. The former, an Augustan inscription, gives the name ending in *-lius*, of father and son in the Clustumina, with a son in the Pupinia who

tus, a prefect of a cohort bearing the exact name of Cicero's client made one of the dedications to Mithras found at Carrawburgh. He gives his origin as: domu Ultin(*i*)a Sept(*imia*) Aur(*elia*) L(*arino*). There can be no doubt that he came from Larinum and that he counted on familiarity with his name when he abbreviated the name of his *domus*. Eric Birley, in his suggestive commentary on the inscription, is uncertain whether the Voltinia is to be taken as the original tribe of Larinum or whether it was the tribe of a colony of Septimius Severus and Caracalla.[11]

My suggestion for these appearances of the Voltinia in towns belonging to the Clustumina is that Caesar may have assigned public land in the Voltinia under his agrarian law of 59. The reason for the assignment may have been to improve Pompey's voting strength and hence Caesar's own in the Voltinia, and at the same time to avoid overloading by new voters the masses already in Pompey's tribe, the Clustumina.[12] It is to be noted that the Voltinia did not obliterate the Clustumina, which remained the major tribe of Tuder, Carsulae, and Larinum.

But in another instance of double tribes, where the new assignment is surely to be attributed to Caesar, the second tribe seems to have replaced the old one. The citizen colony Narbo Martius in Transalpine Gaul had been established in 118 in the Pollia, the usual tribe for *ager Gallicus* (Chap. 7, with n. 48). But the colony of veterans which was settled there under Caesar by Ti. Claudius Nero (Suet. *Tib.* 4) was in the Papiria, which became the regular tribe of Narbo. In establishing at Antium a colony with a new tribe, Nero was following a precedent of Caesar.

Other examples of communities with two tribes are the two ports of Rome, Ostia and Puteoli, both old citizen colonies. In both towns

describes himself as *iivir iure dicundo Carsulis*. The naming of Carsulae suggests that the son has changed his residence, possibly to Sassina in the Pupinia. 4615 gives a father in the Voltinia and two sons in the Pupinia. They also had probably settled elsewhere and changed their tribes.

[11] See Eric Birley, *Arch. Ael.* 29 (1951) 45–51, reprinted in his *Roman Britain and the Roman Army* (Kendal 1953) 172–78.

[12] There are indications of other assignments of Caesar in the Voltinia, the tribe subsequently used for the towns of Narbonese Gaul on which he conferred Latin rights. It is the tribe of Lucus Feroniae whose ancient site about two miles from Capena has lately been identified. The municipal organization of Lucus Feroniae is usually attributed to Augustus, but it may go back to Caesar. He was having the territory of Capena surveyed in 46 (Cic. *Fam.* 9. 17. 2) and there may have been earlier settlements on public land in the region after Caesar's agrarian law of 59. For the identification of the site of Lucus Feroniae where important excavations are now in progress, see G. Foti, *NSc* 1953, 13–17; R. Bloch and G. Foti, *RPh* 27 (1953) 63–77.

the second tribe, the urban Palatina, emphasized the close administrative association of the ports with the capital. Ostia, reportedly the oldest citizen colony, was originally in the Voturia, to which, as I have argued in Chapter 4, its territory belonged when the rural tribes were organized at the end of the kingship. Puteoli (c.c.R. 194) was in the Falerna, the tribe of most of Campania. It is of some importance to consider the datable evidence for the two tribes, a subject that I do not find discussed anywhere. I shall confine myself here to a brief statement of results that are not exhaustive and have, of course, not included the numerous unpublished inscriptions of Ostia. The Voturia is found at Ostia in one inscription of the republic, in one from the Augustan Age, and in a third of the early empire.[13] Its latest dated occurrence is in the name of a man whose career dated from Domitian to Hadrian.[14] In the Palatina there is a doubtful example of Hadrianic date (*CIL* 14. 4473), and various later occurrences, including the lists of *vigiles* of 197–8 A.D. who give Ostia as their *domus*. The abbreviation D.M., usually a sign of Flavian or later date, is common for the Palatina and is unknown for the Voturia. At Puteoli the Falerna is found in one Augustan inscription and in two others that seem to belong to the early empire.[15] There are no inscriptions with this tribe which can be dated later than the first century A.D. The Palatina occurs first in an inscription of 112 A.D.[16] The regular use of the Palatina for *vigiles* and military men from the two ports and the lack of evidence for the Voturia and the Falerna after the first century suggest that the Palatina replaced the old tribes of the two ports. The assignment of the Palatina to Ostia and Puteoli is perhaps to be attributed to Trajan who built the great Portus Traiani close to Ostia and showed active interest in the organization of Rome's harbor facilities.[17] By that time the tribe had no political meaning, and the connection of tribe and land had largely disappeared.

[13] *CIL* 14. 426 (1^2. 1424), 358, 1166. These three monuments are included by M. F. Squarciapino among the tombs of the republic and the Augustan Age. See *Scavi di Ostia, Le Necropoli*, I, *Le tombe di età republicana e augustea* (Rome 1958) 155 f., 161, 162.

[14] See H. Bloch's *Sylloge* of inscriptions from Ostia found from 1930 to 1938, *NSc* 1953, 239–306, no. 24, 258 f. (105 A.D.?); cf. no. 22, 254 f.

[15] *CIL* 10. 1685, 2569, 2639.

[16] *CIL* 10. 1633. Of special interest is *ILS* 9014, a man in the Palatina belonging to the end of the second century A.D. who traces his family back for four generations and describes himself as *civis indigena*.

[17] See Dəgrassi, *Città* 18, for a brief comment on the late appearance of the Palatina at Ostia and Puteoli. On Puteoli's tribe, see M.W. Fredericksen, s.v., *RE* (published 1959), col. 2042. On Ostia, see now R. Meiggs, *Roman Ostia* (Oxford 1960) 190 f., with notes on families in the Voturia.

ADDENDA

P. 32 n. 13. See now Professor Forni's map entitled " Distribution of Tribes in the Empire " in Van der Hayden and Scullard's *Atlas of the Classical World* (London and Edinburgh 1959), p. 146. An inset map of Central Italy shows continuous tribal areas.

P. 82. For municipalities whose magistrates were *duoviri*, see now A. Degrassi, " Sul duovirato nei municipi italici, " *Omagiu lui Constantin Daicoviciu*, Editura Academiei Republicii populare Romîne (1960) 141-45.

Chap. 13, pp. 185 f.

ACILIA

As R. Meiggs has pointed out in his important new book, *Roman Ostia* (Oxford 1960) 507–09, members of this gens with the praenomina Marcus and Manius are prominent in the inscriptions of Ostia. The tribe and origin from Ostia of the M. Acilius listed below seem to me to be established by Meiggs' investigation. The tribe of the Glabriones is more doubtful, but Meiggs' greatest objection to putting them in the Voturia of Ostia is, I believe, met by my discussion of the two Acilii in the text.

• M. ACILIUS M. f. CANINUS, from Ostia, hence *VOT.* (*PIR*² A 54).

Quaest. urb. before 28 B.C., probably (see *MRR*) before 31. Honored by the *negotiatores ex area Saturni* of Ostia, presumably because he was a native of the town (*CIL* 1². 810=14. 153=*ILS* 892). Association with Ostia and its original tribe is also suggested by M. Acilii in the inscriptions, including a duovir of 48 B.C. (Meiggs 511) and by M. Acilius A.f. Vot. Priscus Egrilius Plarianus (*CIL* 14. 72 and *NSc* 1953, pp. 258 f., no. 24; cf. Bloch's discussion, pp. 254–64 and Meiggs 502–07). This Acilius Caninus is probably related to Caesar's legate of 48, M. Acilius, whose cognomen appears in the mss. of Caesar, *B.C.* 3. 39, as Canianus and Caninianus (*RE* 15, cf. *MRR*).

ACILII GLABRIONES, from Ostia ?, *VOT.*? (33–50; *PIR*² A 59–73).

The first prominent member of this family, M'. Acilius C. f. L. n., cos. 191 B.C., was a new man of unknown provenience, a supporter of the elder Scipio Africanus. (Meiggs' accompanying statements about the Acilii Aviolae need revision.) There were two other consulares before Caesar, one under the triumvirs, and a long series in the empire when the Glabriones were preëminent for the antiquity of their house. An early imperial Glabrio (identity uncertain), as patron of the colony, set up a statue of Salus Caesaris Augusti outside the Porta Romana of Ostia (*CIL* 14. Suppl. 4324). Besides the M. Acilii who are to be assigned to the Voturia, there are a number of M'. Acilii, some of them freedmen and two with different cognomina in the Voturia (*CIL* 14. 1073; Suppl. 4761), presumably descendants of freedmen of the Glabriones. One of the consular Glabriones was married to a woman of an Ostian family (*CIL* 11. 6333, cf. Meiggs 502-08). A family estate in the region is suggested by the inscription (14. 74) thiasus Acili Glabrion(*is*) inperatu aram fecit dominae. Meiggs hesitates to attribute the family to Ostia because of the Voltinia and the Galeria tribes of the Acilii discussed in the text, but it is doubtful whether either of these tribes belongs to the Glabriones. It is, of course, possible that an estate in the region explains the association of these Acilii with Ostia. Compare the many great names of men in various tribes found among the masters of slaves and patrons of freedmen in the republican inscriptions of Minturnae. Note also the relations of the Sulpicii Galbae with Tarracina and the associations of Cicero with the regions in which he owned villas. But the Glabriones may well have been registered in the Voturia, and they may actually have been natives of Ostia. If they were, three consulares, the only ones known from a citizen colony, can be added to the list of non-Roman men of that rank before Caesar (290 f.).

CUSINIA (p. 210)

For another Cusinius, obviously of early date, in the Velina, see the Greek and Latin inscriptions from Ephesus recording L. Cusinius L. f. Vel. (*Forschungen von Ephesus* 4. 1 [Vienna 1932] pp. 94 f., nos. 19, 20). Professor Forni called my attention to the name. It is to be noted that Cusinius, a rare *nomen*, is found in Picene regions of the Velina at Falerio and in the vicinity of Auximum (*CIL* 9. 6417, 5817, in both cases with the praenomen Gaius).

LIST OF ABBREVIATIONS

In general the abbreviations listed in *AJA* 62 (1958) 3–8 are adopted. The following list gives additional collections, books, and articles which are referred to repeatedly, usually in more than one chapter.

I. PERIODICALS AND GENERAL COLLECTIONS.

Athen = *Athenaeum, Studi periodici di letteratura e storia dell'antichità*, Pavia 1913—

CREBM = H. Mattingly, *Coins of the Roman Empire in the British Museum* 1. London 1923.

CRRBM = H. A. Grueber, *Coins of the Roman Republic in the British Museum* 1–3. London 1910.

DE = E. De Ruggiero, *Dizionario epigrafico di antichità romane*. Rome 1895— Now under the direction of A. Ferrabino.

FIRA = S. Riccobono, *Fontes iuris Romani antejustiniani*, 1, ed. 2. Florence 1941.

ILLRP = A. Degrassi, *Inscriptiones Latinae liberae rei publicae* 1. Florence 1957.

IRTD = W. Kubitschek, *Imperium Romanum tributim discriptum*. Vienna 1889.

MRR = T.R.S. Broughton, *The Magistrates of the Roman Republic* 1–2. New York 1951–52. *Supplement*. New York 1960.

PINK = K. Pink, *The Triumviri Monetales and the Structure of the Coinage of the Roman Republic, Numismatic Studies* 7, American Numismatic Society. New York 1952.

SYDENHAM = E. A. Sydenham, *The Roman Republican Coinage*. London 1952.

II. BOOKS AND ARTICLES.

Badian, E., *FC* = *Foreign Clientelae (264–70 B.C.)*. Oxford 1958.

Bennett, H., *Cinna* = *Cinna and his Times*. Menasha, Wis. 1923.

Beloch, K. J., *ItBd* = *Der italische Bund unter Roms Hegemonie*. Leipzig 1880.

..... *RG* = *Römische Geschichte*. Berlin and Leipzig 1926.

Bernardi, A., *Cives s. s.* = "I cives sine suffragio," *Athen* 16 (1938) 239–79.

Botsford, G. W., *RAss* = *The Roman Assemblies*. New York 1909.

Broughton, T.R.S., *MRR* = See I, above.

Cichorius, C., *RS* = *Römische Studien.* Leipzig and Berlin 1922.

..... *UL* = *Untersuchungen zu Lucilius.* Berlin 1908.

Degrassi, A., *Città* = "L'Amministrazione delle Città," *Guida allo Studio della Civiltà Romana Antica,* 1, 2nd ed. (Naples 1959) 301–311.

..... *ILLRP* = See I, above.

..... *Quattuorviri* = "Quattuorviri in colonie romane e in municipi retti da duoviri," *MemLinc.*, Cl. sc. mor. ser. 8. 2 (1950) 281–345.

Forni, G., *Curius* = "Manio Curio Dentato, uomo democratico," *Athen* 31 (1953) 170–240.

Fraccaro, P., *Opusc* = *Opuscula* 1–3. Pavia 1956–57.

..... *OrgPol* = "L'organizzazione politica dell'Italia romana," *Atti Congr. intern. di diritto romano* 1 (1934) 195–208. Reprinted *Opusc* 1. 1. 103–14.

..... *TribAer* = "'Tribules' ed 'aerarii.' Una ricerca di diritto pubblico romano," *Athen* 11 (1935) 150–72. Reprinted *Opusc* 2, 149–70.
Page references to these two papers are to the original publication. This pagination is given in the margin in *Opusc.*

Frank, T., *EcSur* = *An Economic Survey of Ancient Rome* 1. Baltimore 1933.

Gabba, E., *Appian, B. C. I* = *Appiani Bellorum Civilium liber primus,* Florence 1958.

..... *CESS* = "Il ceto equestre e il senato di Silla," *Athen* 34 (1956) 124–38.

..... *GuerraSoc* = "Le origini della guerra sociale e la vita politica romana dopo l'89 a. C." *Athen* 32 (1954) 41–114; 293–345. (Also published as monograph. Page references are to *Athen.*)

Grant, M., *Imp-Auct* = *From Imperium to Auctoritas, A Historical Study of Aes Coinage, 49 B.C.–A.D. 14.* Cambridge 1946.

Heurgon J., *Capoue* = *Recherches sur l'histoire, la religion et la civilisation de Capoue préromaine des origines à la deuxième guerre punique. Bibl. Ec. fr. d'Athènes et de Rome,* fasc. 154. Paris 1942.

Holmes, T. Rice, *RR* = *The Roman Republic and the Founder of the Empire* 1–3. Oxford 1923.

Kubitschek, W., *IRTD* = see I, above.

..... *Orig* = *De Romanarum tribuum origine ac propagatione.* Vienna 1882.

Lange., *RAlt* = *Römische Alterthümer* 1, 2, 3rd ed.; 3, 2nd ed. Berlin 1876–1879.

Mommsen, T., *RF* = *Römische Forschungen* 1–2. Berlin 1864, 1879.

..... *RSt* = *Römisches Staatsrecht* 1–2, 3rd ed., 3, Ist ed. Leipzig 1887, 1888.

..... *Strafrecht* = *Römisches Strafrecht.* Leipzig 1899.

Münzer, F., *RA* = *Römische Adelsparteien und Adelsfamilien.* Stuttgart 1920.

Niccolini, G., *FTP* = *I Fasti dei tribuni della plebe.* Milan 1934.

Nissen, H., *ItLdk* = *Italische Landeskunde* 1. Berlin 1883; 2, pt. 1 and 2, 1902.

Pais, E., *GP-CA* = *Dalle guerre puniche a Cesare Augusto, indagini storiche-epigrafiche-giuridiche* 1–2, paged continuously. Rome 1918.

Rudolph, H., *SSRI* = *Stadt und Staat im römischen Italien.* Leipzig 1935.

Salmon, E. T., *Colonization* 1 = "Roman Colonisation from the Second Punic War to the Gracchi," *JRS* 26 (1936) 47–67.

..... *Colonization 2* = "Roman Expansion and Roman Colonization in Italy," *The Phoenix* 9 (1955) 63–75.

..... *Social War* = "Notes on the Social War," *TAPA* 89 (1958) 159–84.

De Sanctis, G., *StR* = *Storia dei Romani* 1–2. Turin 1907; 3. 1916–17; 4. 1923–58.

Schulze, W., *LE*, = *Zur Geschichte lateinischer Eigennamen*, *Abhgött*, phil–hist. Kl. 5, no. 5, 1904 (reprinted 1933).

Scullard, H. H., *RP* = *Roman Politics 220–150 B. C.* Oxford 1951.

Sherwin-White, A. N., *RomCit* = *The Roman Citizenship.* Oxford 1939.

Syme, R. *MSen* = "Missing Senators," *Historia* 4 (1955) 52–71.

..... *RR* = *The Roman Revolution.* Oxford 1939.

Taylor, L. R., *ComCent* = "The Centuriate Assembly before and after the Reform," *AJP* 78 (1957) 337–54.

..... *PP* = *Party Politics in the Age of Caesar.* Berkeley and Los Angeles 1949.

..... *TrebSuf* = "Trebula Suffenas and the Plautii Silvani," *MAAR* 24 (1956) 9–30.

..... *UrbTr* = "The Four Urban Tribes and the Four Regions of Ancient Rome," *RendPontAcc* 27 (1952–54) 225–38.

Tibiletti, G., *Comitia* = "The 'Comitia' during the Decline of the Roman Republic," *Studia et Documenta Historiae et Juris* 25 (1959) 94–127.

..... *LR* = "Le Leggi 'de iudiciis repetundarum' fino alla guerra sociale," *Athen* 31 (1953) 5–100.

..... *PCL* = "La politica delle colonie latine e città latine nella guerra sociale," *Rend. Ist. Lomb.*, sci. e lett. 86 (1953) 45–63.

Vittinghoff, F., *Kolonisation* = *Römische Kolonisation und Bürgerrechtspolitik unter Caesar und Augustus, Akad. Wissensch. und Lit., Abh. geistes- und sozialwiss. Kl.*, No. 14. Mainz 1951.

Willems, P., *Sen* = *Le sénat de la république romaine* 1–2, 2nd ed. Louvain 1885.

Wissowa, G., *RK*² = *Religion und Kultus der Römer*, 2nd ed. Munich 1912.

SELECTIVE LIST OF SOURCES DISCUSSED

For discussion of inscriptions and of texts (particularly Josephus) recording Senatus Consulta and Consilia, see 168–78 and the General Index under S.C. and Consilia. For the *Tabula Hebana*, see the General Index. Inscriptions giving new evidence for the tribes of towns are usually cited there. Inscriptional evidence for the tribes of senators is discussed under the names in Chapter 13.

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Phil. 2. 76 — 127
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INDEX OF THE THIRTY-FIVE URBAN AND RURAL TRIBES

References in bold face type are to the tribal list (Chapter 14) of senators and towns. For further references see General Index under names of senators and towns; for senators, see also Chapter 13. This index is also supplemented by the tribal list, with indications of divisions, before the Social War, 95-98, by the regional list of Italian communities with tribes, 160-64, and by the lists of tribes of Latin colonies and of the Transpadani, 110, 129. For abbreviations, see statement on the General Index.

Aemilia, *Aem.* (old tribe) **271**; location uncertain 44, 45; addition of Formiae and Fundi 18, 93, 95, 307; and elder Scipio 307; Latin colonies in 110; large group of senators 278.

Aniensis, *Ani.* (*299*) **271**; original site 56; extension 90, 95; Latin colonies in 110; Transpadani 129; great senatorial names 279; and censor Sulpicius Saverrio 256 f., 284.

Arnensis, *Arn.* (*387*) **271**; original site 48 f.; last in order of tribes 69, 73 ff.; Frentani and Marrucini in 111; additions in Etruria 115; large size and disparity after S. W. 117, 121; important senators in 279; patrician and plebeian Claudii 285.

Camilia, *Cam.* (old tribe, unknown *gens*) **27**; original site 43 f., owned land in Rome 14, 44 n. 30; divisions before S. W. 92 with n. 38, 95; addition of Tibur after S. W. 111; in Cisalpine Gaul 129; in inscription with Antium as *domus* 319 f.

Claudia, *Cla.* (*495* ?) **271**; original site and *gens* 35 f., 283; *vetus Claudia tribus* 45; limited space 86 n. 23; division by orientation before S. W. 85 f., 95; at Tarentum 93 f., 321; Latin colony in 110; extended in Apulia after S. W. 116; interest of emperor Claudius in 147 n. 55, 284, 321.

Clustumina, *Clu.* (*495* ?) **271**; abbreviation 12 n. 27; date and site of institution 36 f.; limited space 86 n. 23; division by orientation in east Tiber valley 83 ff., 95; extension in Umbria after S. W. 112, 114, 310 f.; Voltinia found with 123, 313, 321.

Collina, *Col.* (urban tribe) **271**; and *ordo tribuum* 69 ff. with n. 5; superior urban tribe 11 f., 71, 148 f., 278; in urban plebs 148, n. 59; among Dripsinates 130 n. 32; Clodius and 70 n. 5; 145 n. 50; senators in 206, 255, 277.

Cornelia, *Cor.* (old tribe) **272**; site near Nomentum ? 43, 80; division in Umbria, by orientation ? 87;

other divisions before S. W. 92, 96, 98; six divisions after S. W. 116, 311; *nauarchos* from Rhosos in 20; large group of senators 278; and Scipio 307; and Marius 278, 310 f., colony of Caesar in 22 n. 20.

Esquilina, *Esq.* (urban tribe), and *ordo tribuum* 69 ff., 71 n. 9; inferiority of 11 f., 71, 148, 278; and freedmen in census of *169* 140 f.; lack of names in 278.

Fabia, *Fab.* (old tribe) **272**; site and Fabian property 40 f., 283; tribe of Julian emperors 21 f., 222, 281; division before S. W. ? 96; Latin colonies in 110; tribe of Asculum in revolt 112, 310; divisions and disparate character after S. W. 116, 121; Transpadani in 129; great names of late rep. 279, 305, n. 18.

Falerna, *Fal.* (*318*) **272**; site 55 f. old and new citizens in 66 f., extension 90, 96; continuous before and after S. W. 98, 116; at Castrimoenium 75 f.

Galeria, *Gal.* (old tribe, unknown *gens*) **272**; site 39, 41; possible increase from Veii 79; assigned to Luna, by orientation ? 88; in Hirpini before S. W. ? 93; divisions before S. W. 96; tribe of Hirpini after S. W. 111 f.; extension to Pisae, Genua, Veleia 115, 124; line of Memmii in 279, 289.

Horatia, *Hor.* (old tribe) **272**; site near Aricia 43, 80; and Horatii 43, 283; possible 2nd cent. division in *ager* of Falerii 94, 96; Latin colonies in 110. *See* Aricia.

Lemonia, *Lem.* (old tribe, *gens* unknown) **272**; and *pagus* 6, 38; site 38; small size before S. W. 99; Latin colony in 110; in Consilium *129* 292.

Maecia, *Mae.* (*332*) **273**; origin and site 53 f.; Lanuvini enrolled as new citizens in ? 66; continuous before S. W. 96, 99; Latin colonies in 110; five divisions after S. W. 116; relations with M. Livius Salinator 226; large group of senators 278. *See* Lanuvium.

Menenia, *Men.* (old tribe) **273**; site 43 f.; and Pedum and Praenestine land 43, 80; at Salernum before S. W. ? 92, 96, 112; small number of voters then 99; awards to Praeneste and coast below Naples after war 111 f., 311; to Transpadani 129; in Consilium *129* 292.

Oufentina, *Ouf.* (*318*) **273**; site 55 f.; and Privernum in Lucilius 29; extension 90; old citizens in 66; Volscian character 67; Umbrian assignments and C. Flaminius 91, 96, 306; among Transpadani 129.

Palatina, *Pal.* (urban tribe) **273**; in order of tribes 70 f.; superiority of 11 f. 76, 148, 278; republican freedman in 147; not sign of freedman status 147 n. 55; *maiores gentes* of patricians in 21, 148 f., 277, 279, 284 f.; at Ostia and Puteoli 322 f. *See* Appius Claudius Caecus.

Papiria, *Pap.* (old tribe) 273; site near Tusculum 43, 79 f.; Cicero's failure to mention 383; division at Castrum Novum, Reg. V ? 91 n. 36; Latin colonies in 110; Transpadani 129; and Narbo Martius 94 f., 322; large group of senators in 278, 290 f.;

and leaders of S. W. 310 f. *See* Fulvii *and* Tusculum.

Poblilia, *Pob.* (*358*) **273** f.; abbreviation 12; site 50 ff., 74; and plebeians 51 ff., 300; and Hernici 50 ff., 67, 90; undivided before S. W. 96; Latin colony in 110; Transpadani 129.

Pollia, *Pol.* (old tribe, *gens* unknown) **274**; site 39; not near Papiria 39 n. 16, 214; burial place of 14 f., 39; limited space 86 n. 23; division by orientation in *ager Gallicus* 85 f.; and C. Flaminius 79, 99, 117, 154; wide extension in Gallic and Ligurian territory 90 f., 96; original tribe of Narbo Martius 94, 154, 322; not increased after S. W. 107, 113 n. 31, 116.

Pomptina, *Pom.* (*358*) **274**; site 50, 300; separation from *ager Romanus* 53; old citizens in 66, Volscians in 67; division by orientation ? 87; divisions before S. W. 94, 96; Latin colony in 110; Lucanians in after S. W. 111 ff.; five divisions then 116.

Pupinia, *Pup.* (old tribe, *gens* unknown) **274**; site 38, 45, 74; possible increase by orientation 88; other divisions before S. W. 96; small after S. W. 117, 157; Transpadani in 129.

Quirina, *Qui.* (*241*) **274**; site and institution 59 ff., 63 ff.; continuous among Sabini and Vestini before S. W. 97, 98, and after 111 ff., 116; tribe of Claudian and Flavian emperors 21; colony of Nero at Antium in 319 ff.; large number of senators in 278, 292.

Romilia, *Rom.* (old tribe) **274**; site 38, 41, 70; and Romilia *gens* 38, 250, 283; first in order of rural tribes 44, 69, 75; possible increase from Veii 79; small size before S. W. 97, 99; Latin colony Sora only known addition after S. W. 110, 117, 157; at Ateste 127 f.

Sabatina, *Sab.* (*387*) **274**; site 48 f.; limited space of 86 n. 23; divided by orientation 85 f., 97; increase after S. W., especially in Etruria 115, 117; Transpadani in 129.

Scaptia, *Sca.* (*332*) **275**; site 53 ff.; old and new citizens in 66; voters before S. W. 99; Transpadani in 129; few senators known in 278 f. *See* Velitrae.

Sergia, *Ser.* (old tribe) **275**; and *gens* Sergia 40, 283; site 40; limited space 86 n. 23; perhaps first tribe divided 63, 85, *and see* Cures Sabini; extension 90; divisions before S. W. 97; tribe of Marsi and Paeligni after war 111 f.; large number of senators in 278; and Cic. (*Vat.* 36) 27, 45, 62, 114 n. 32.

Stellatina, *Ste.* (*387*) **275**; site 48 f.; division perhaps by orientation 88, 97, 306; extension ? to Graviscae 89; Latin colonies in 110; increase in Etruria after S. W. 115.

Suburana, *Suc.* (urban tribe) **275**; abbreviation 12 n. 27; first of tribes in order 12, 69 ff.; inferiority of 11 f., 71, 148, 278; knight or senator in 148, 177, 267, 277; imperial list from 147.

Teretina, *Ter.* (*299*) **275**; site 56 ff.; old citizens and Aurunci in 66 f.; continuous and extended before S. W. 90, 98; and after 116; Latin colony in 110; large numbers of senators in 278, 292; in Consilium *129* 292.

Tromentina, *Tro.* (*387*) **275**; site 48 f.; division before S. W. 93, 97; Latin colony in 110; extension in Etruria after S. W. 115. *See* Veii.

Velina, *Vel.* (*241*) **275 f.**; site 59 ff., 63 ff., *see* Praetuttii; extension to Picenum by Lex Flaminia 64 and n. 66, 68, 79, 85 f., 89 f.; outside Italy 94 f.; permanent effect on tribe of settlements of C. Flaminius 79, 99, 117, 154; divisions and large size before S. W. 97 f., 99, Latin colonies in 110; character after S. W. 116 f.; and the Pompeii 177, 278, 292.

Voltinia, *Vol.* (old tribe, *gens* unknown) **276**; site as second of rural tribes 44 f., 69; tribe of Castrum Novum, Reg. VII ? 89 n. 29; and Scipio's assignments 92 n. 39; divisions before S. W. 98; tribe of Samnites after war 111 f.; curious appearance in towns in Clustumina 123, 313, 322; and Caesar's assignments 322 n. 12.

Voturia, *Vot.* (old tribe) **276**; abbreviation 12; site in relation to Ostia 42, 322; and Veturia *gens* 42, 265, 283; extension 80, 89; at Antium 319 f.; Latin colony in 110; few senatorial names 278.

GENERAL INDEX

Names of Italian towns enfranchised before the Social War are marked with an asterisk, sometimes followed by a query to indicate uncertainty about the date. If there are two references in bold face type under the towns, the first one regularly provides discussion of the tribe or of the date of enfranchisement. Other references in bold face are, in general, to the tribal list of senators and Italian communities in Chapter 14.

From the alphabetical list of senators with tribes in Chapter 13, only those names are included which are discussed elsewhere in the volume. References in bold face under the names of senators are to Chapter 13.

Dates, given regularly in italics, are B.C. unless they are specified as A.D.

Abbreviations, aside from those commonly used for tribes and magistrates: c.c.R. = colonia civium Romanorum; c.L. = colonia Latina; c.s.s. = civitas sine suffragio; S.W. = Social War.

Abella, *Gal.* **272**.

Abellinum, *Gal.* **94**, **272**.

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P. Accoleius Lariscolus, *Hor.* (Aricia), tr. mon. *43*, **185**, 183, 289.

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Acerrae*, *Fal.* **272**; c. s. s. 17, 81, 90; senator from 215.

M'. Acilius (Balbus), *Vol.*, senator *170*, **185**, 13 n. 28, 168, 279, 289, 325 f.

M. Acilius Caninus, *Vot.* (Ostia), q. urb. before *28*, 325.

M'. Acilii Glabriones, *Vot.*? (Ostia ?), 326, cf. 290.

M'. Acilius Glabrio Cn. Cornelius Severus, *Gal.* cos. *252* A.D. **186**; and adoption 282, cf. 325 f.

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Aeclanum, *Cor.* **272**; in revolt 113 nn. 31-31 a; citizenship after S. W. 111, 310; senator from 228.

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Aemilii, tribes of **187**, 283; in *Pal.* 277, 279, 284 f.

M. Aemilius Lepidus, cens. *179*, and freedmen 139 f., **146**, 308.

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M. Aemilius Scaurus, *Cam.*, cos. *115* **187**; and freedmen 141 ff., 146, 308.

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L. Afranius, *Vel.* ? (Cupra Maritima ?) cos. *60*, **188**, 289, 290.

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ager Romanus 3, 5; at end of kingship 37, 43, 75 f.; and new rural tribes 47-68 *passim*; later expansion in old tribes 79 ff., 133.
Alba Fucens, c. L. *303*, *Fab.* **272**, 57 n. 35, 85.
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Albintimilium, *Fal.* **272**, 130 n. 32.
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Allifae*, *Ter.* **273**, 90.
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Altinum, *Sca.* **275**, 129.
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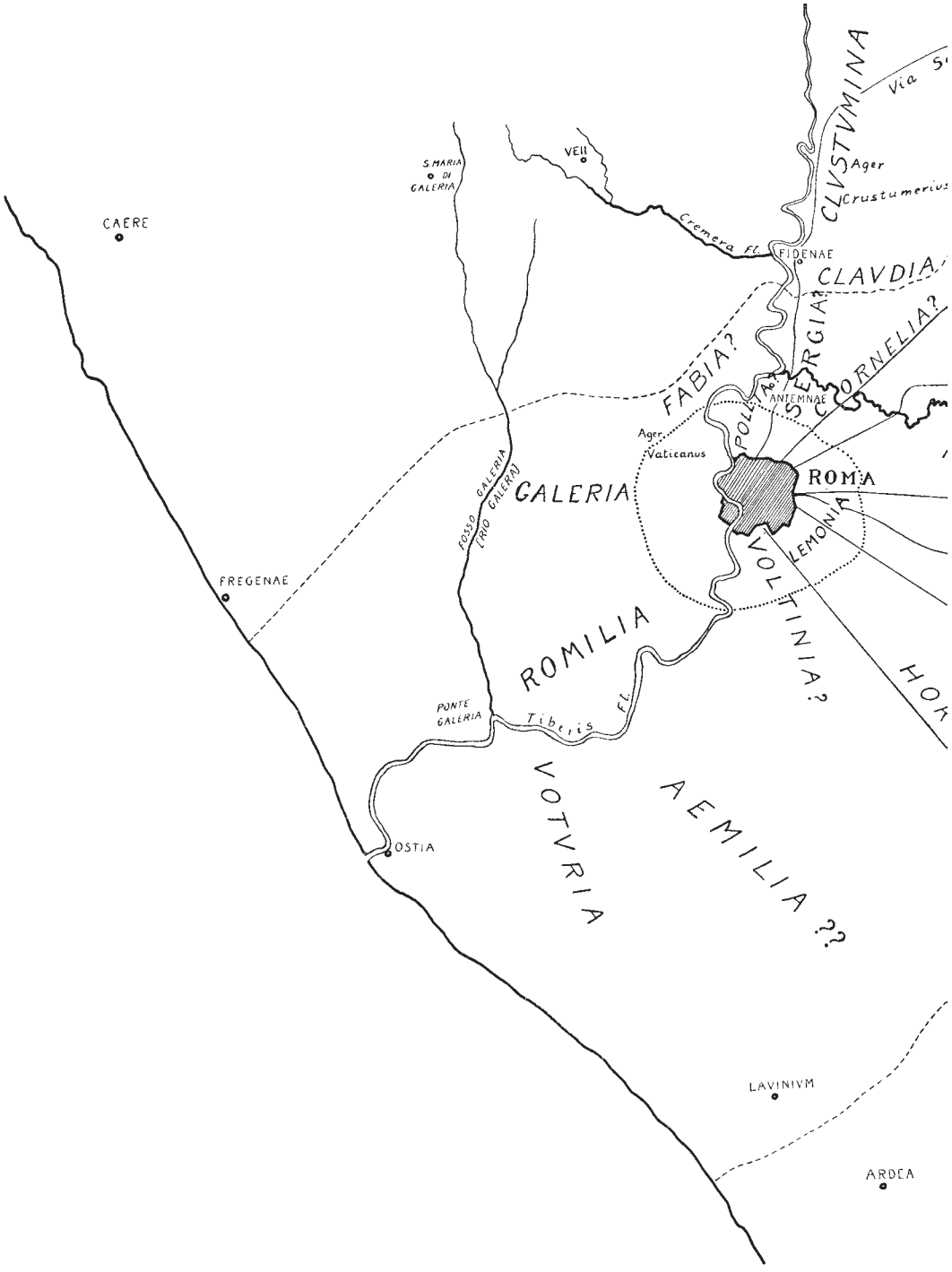
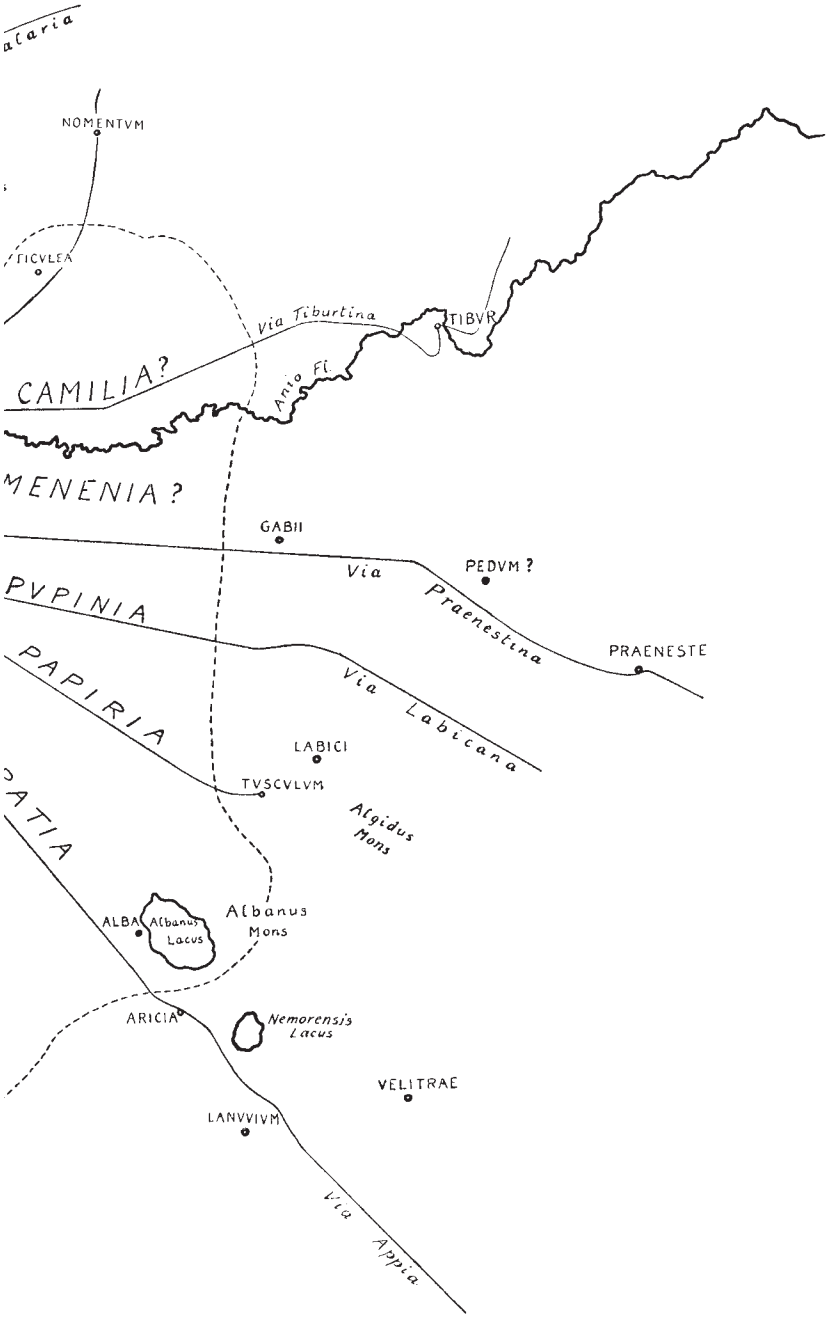


The Seventeen Oldest Rural Tribes

(p. 35)



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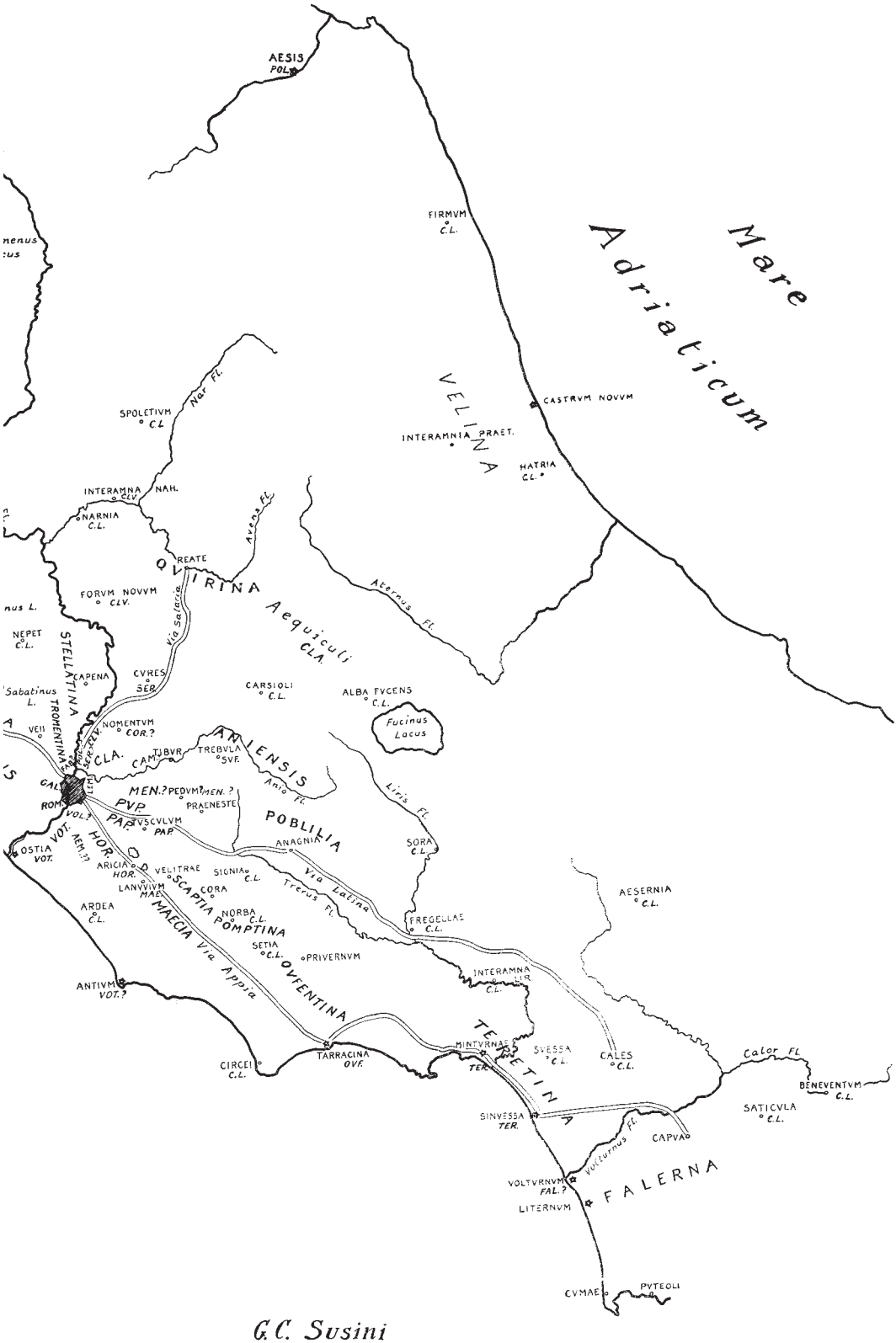
The Thirty-one Rural Tribes with probable Tribal Divisions before 232 B.C.

(p. 47)



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EXPLANATION OF MAPS OF ITALIA TRIBUTUM DISCRIPTA

The maps are based, with permission, on Fraccaro's map, *Italia ante Bellum Sociale*, De Agostini, Novara, 1935.

Towns marked with a star, usually accompanied by a date, are citizen colonies.

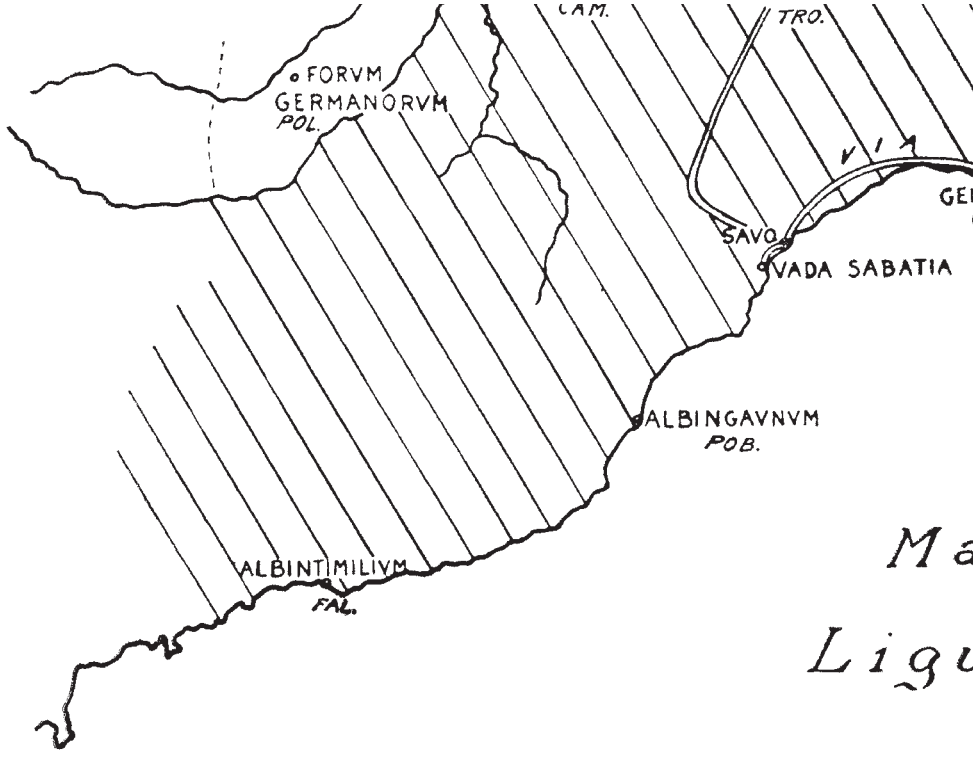
Territory of Latin colonies is indicated by diagonal lines at narrow intervals.

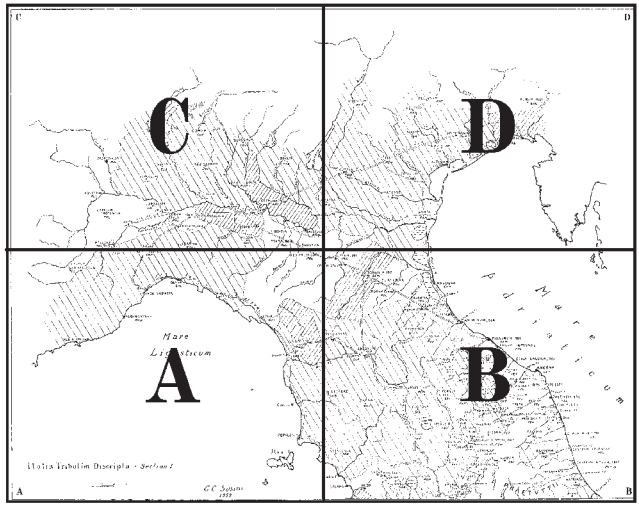
Territory which before 90 B.C. belonged to allied peoples is indicated by diagonal lines at wide intervals.

Territory which was *ager Romanus* or *ager publicus* before 90 is without lines.

The boundaries of the various types of territory usually follow Fraccaro. Departures from Fraccaro: Interamna Nahars and Carsulae are marked as *ager Romanus*, Telesia and Grumentum as allied territory; the territory of the Ligures Baebiani and Corneliani, which was *ager publicus*, is marked as Roman territory, though it was probably not assigned to the Velina tribe until after the Social War.

For uncertainties about the tribes and the divisions of the territory, see particularly Chapters 7 and 8 and the references in the regional list of towns in Chapter 11. For a list of towns classified by tribes, see Chapter 14.





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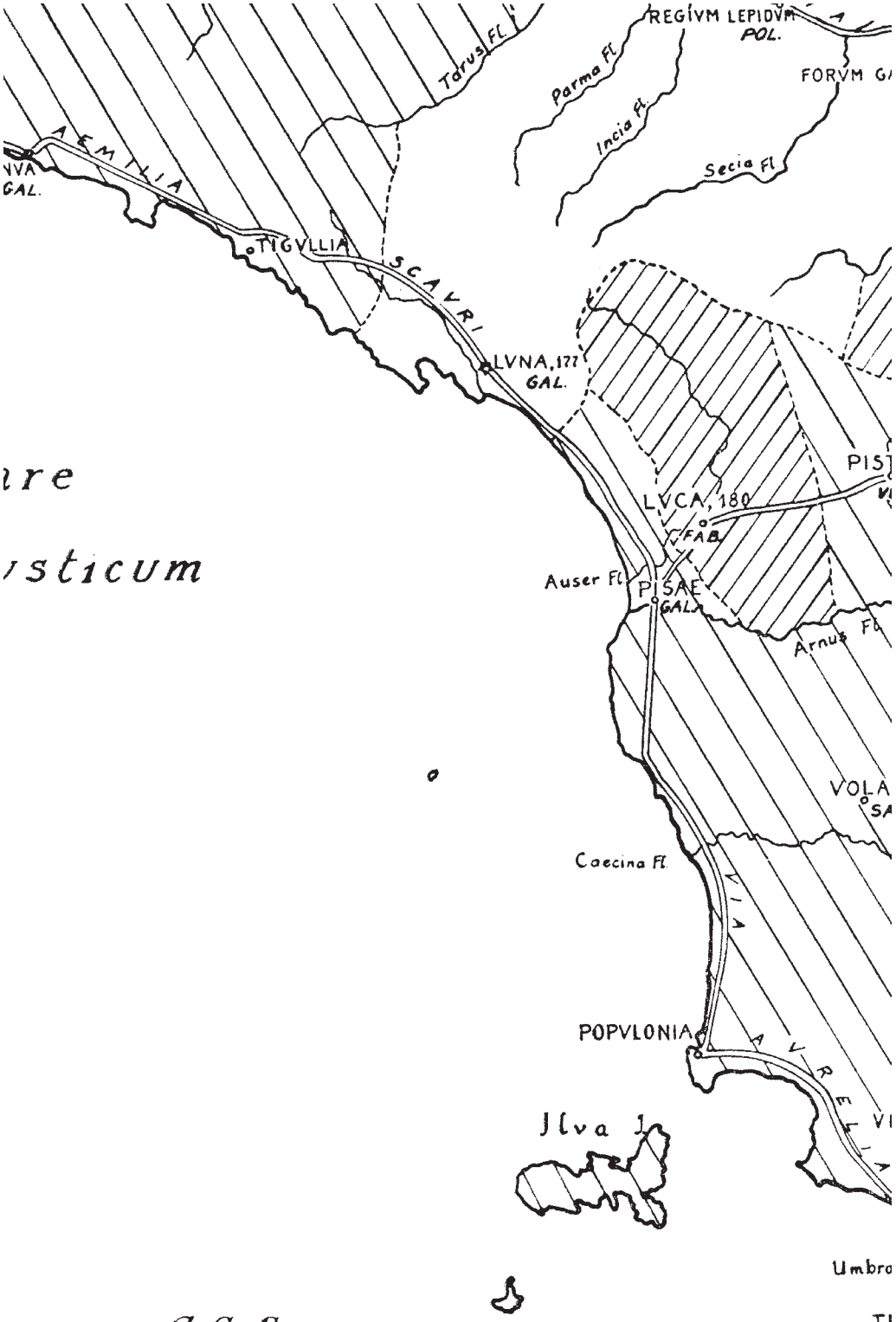

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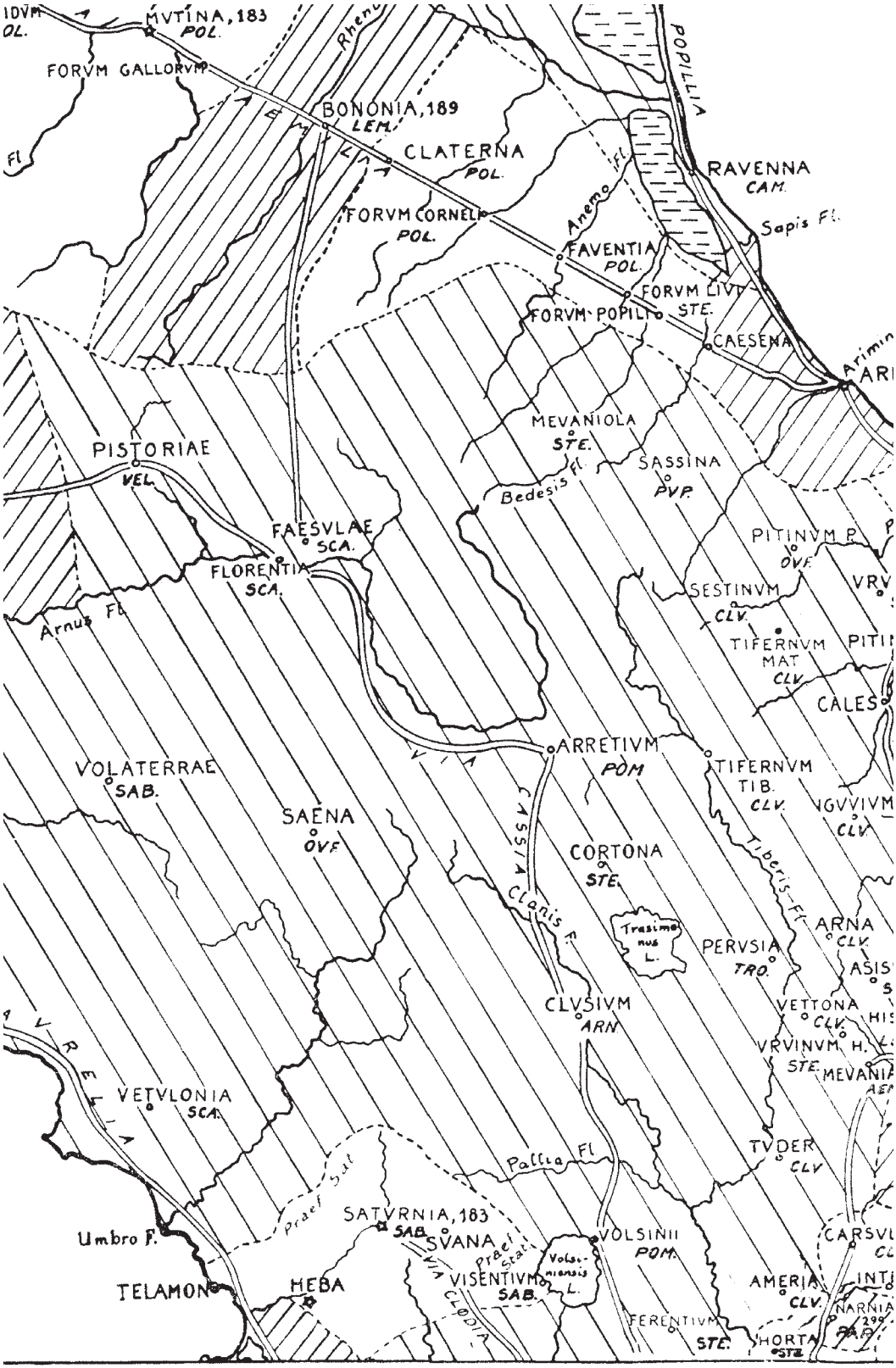

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STE.
FORVM POPILI
CAESENA
POPILLIA
MEVANIOLA
STE.
SASSINA
PVP.
Bedesis Fl.
PISTORIAE
VEL.
FAESVLAE
SCA.
FLORENTIA
SCA.
Arnus Fl.
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OVF.
SESTINVM
CLV.
TIFERNVM
MAT
CLV.
CALES
ARRETIVM
POM
TIFERNVM
TIB.
CLV.
VOLATERRAE
SAB.
SAENA
OVF.
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CORTONA
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Tiberis Fl.
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TRO.
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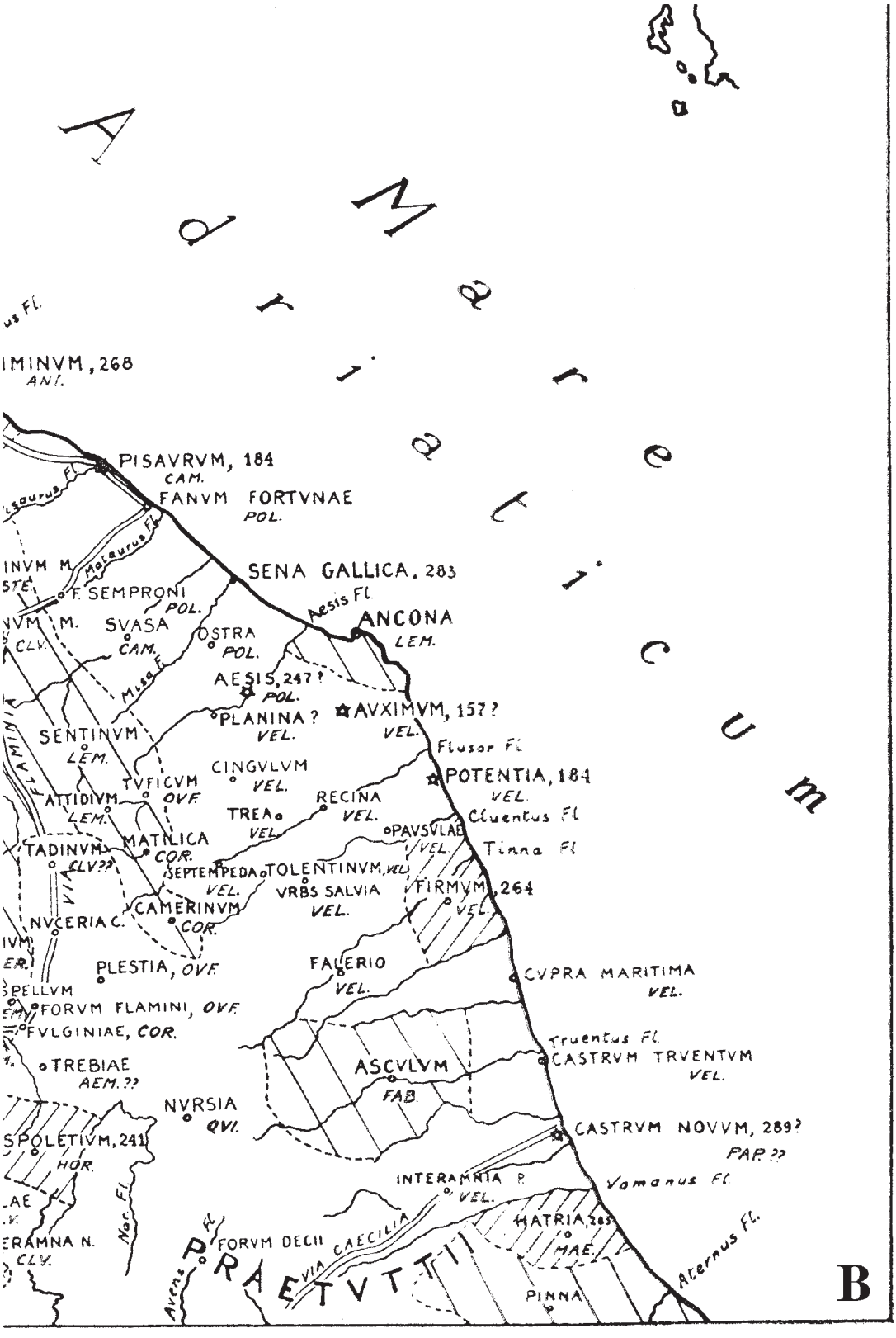
SAB.
AMERIA
CLV.
FERENTIVM
STE.
HORTA
STE.
NARNIA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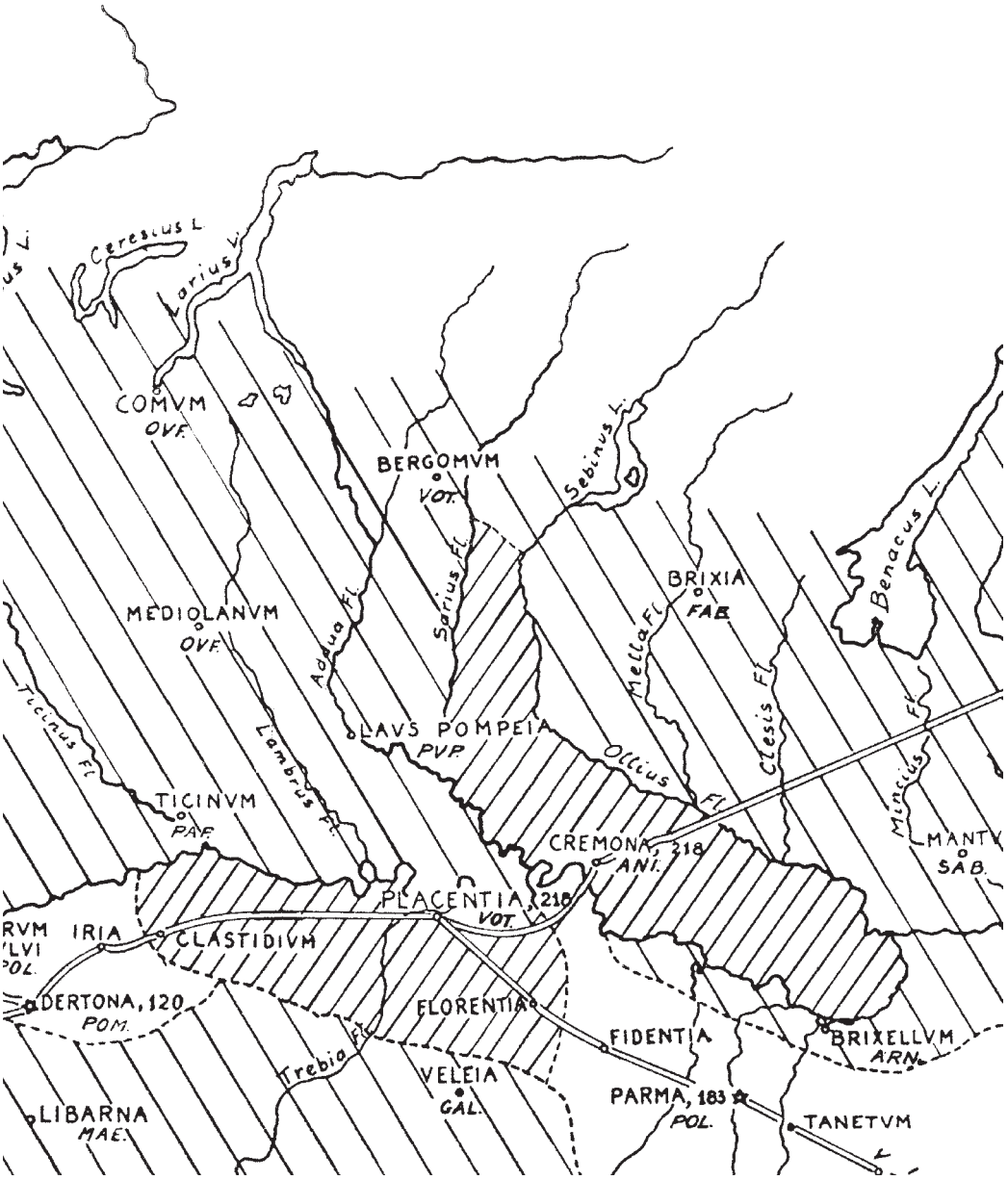
ANI.
VARDAGATE
POL.
VALENTIA
VIA FVLVIA
HASTA
POL.
Tanarus Fl.
POLLENTIA
POL.
ALBA
POMPEIA
AQVAE
STATIELLAE


Ceresius L.
Larius L.
COMVM
OVF.
BERGOMVM
VOT.
Sebinus L.
Benacus L.
BRIXIA
FAB.
MEDIOLANVM
OVF.
Addua Fl.
Serius Fl.
Mella Fl.
Ticinus Fl.
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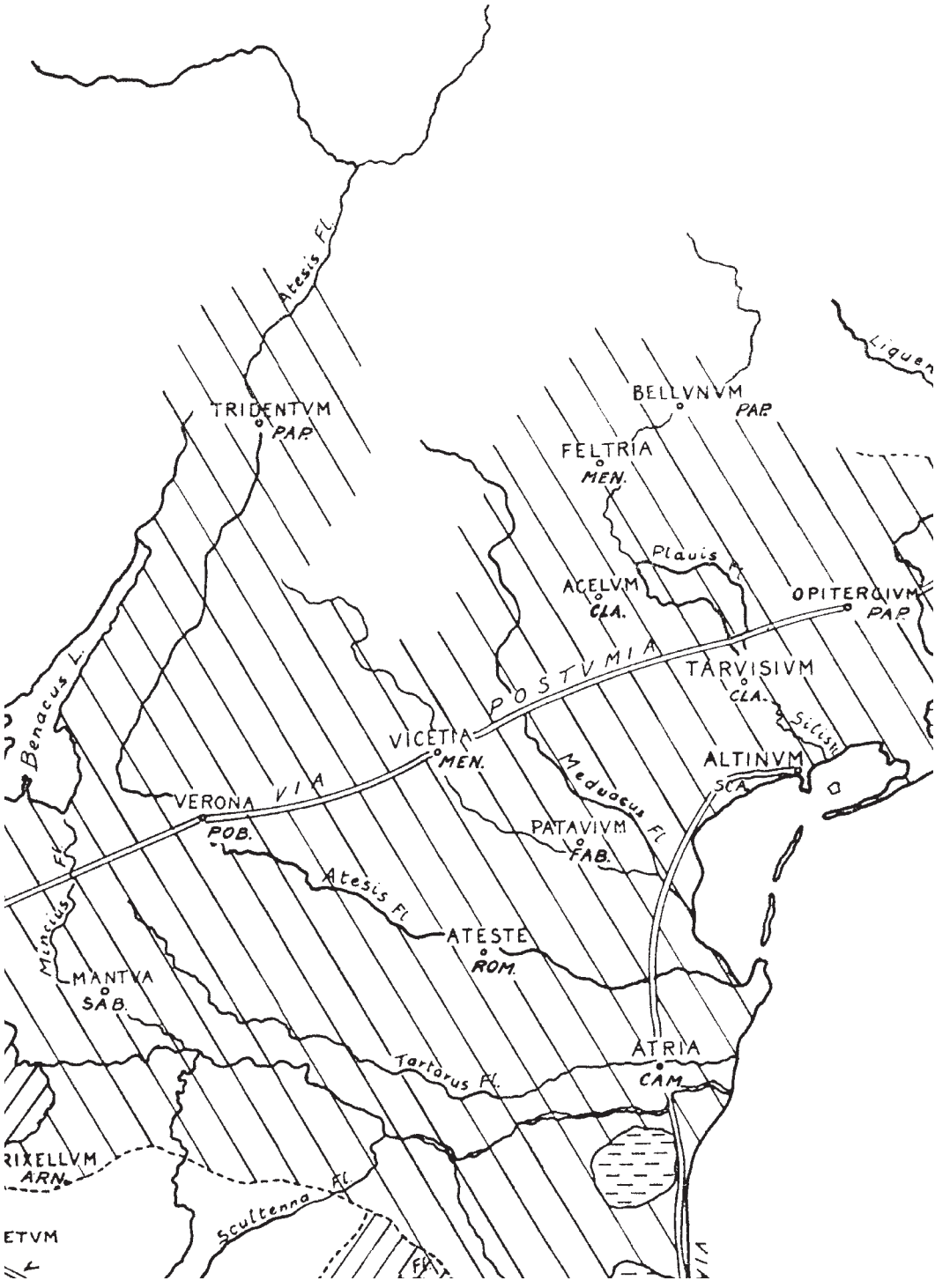
Atesis Fl.
TRIDENTVM
PAP.
BELLVNVM
PAP.
FELTRIA
MEN.
Liquen
Plauis R.
ACELVM
CLA.
OPITERGIVM
PAP.
POSTVMIA
TARVISIVM
CLA.
Silcis R.
Benacus L.
VICETIA
MEN.
VIA
ALTINVM
SCA.
Meduacus Fl.
VERONA
POB.
PATAVIVM
FAB.
Atesis Fl.
Mincius Fl.
ATESTE
ROM.
MANTVA
SAB.
Tartarus Fl.
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CAM.
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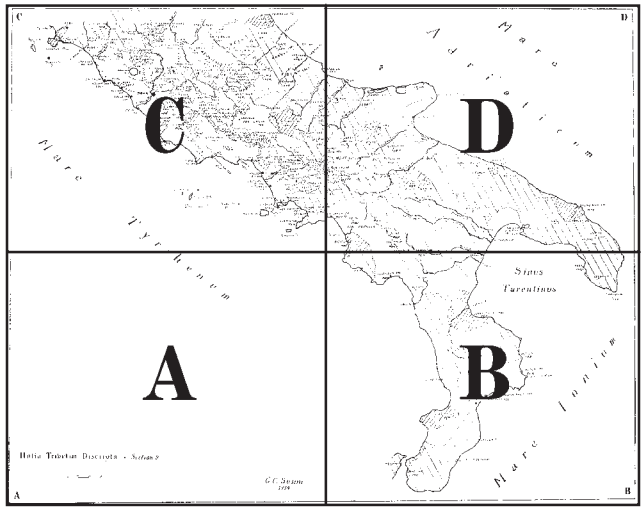
ARN.
Scultenna Fl.
ETVM

Tilliventus Fl
FORVM IVLI
SCA.
Sontius Fl
AQVILEIA,
VEL.



Italia Tributim Discripta - *Section 2*

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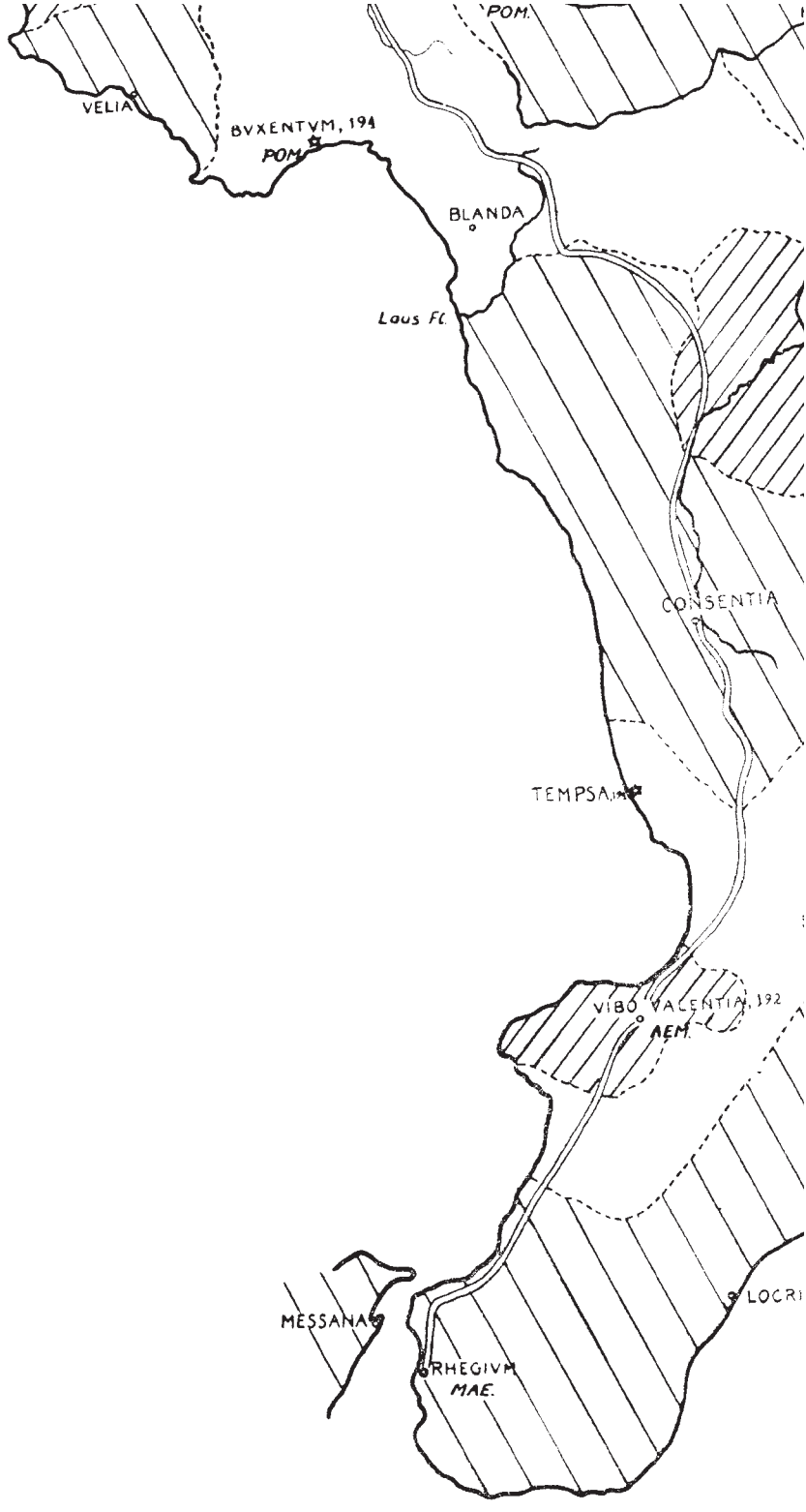
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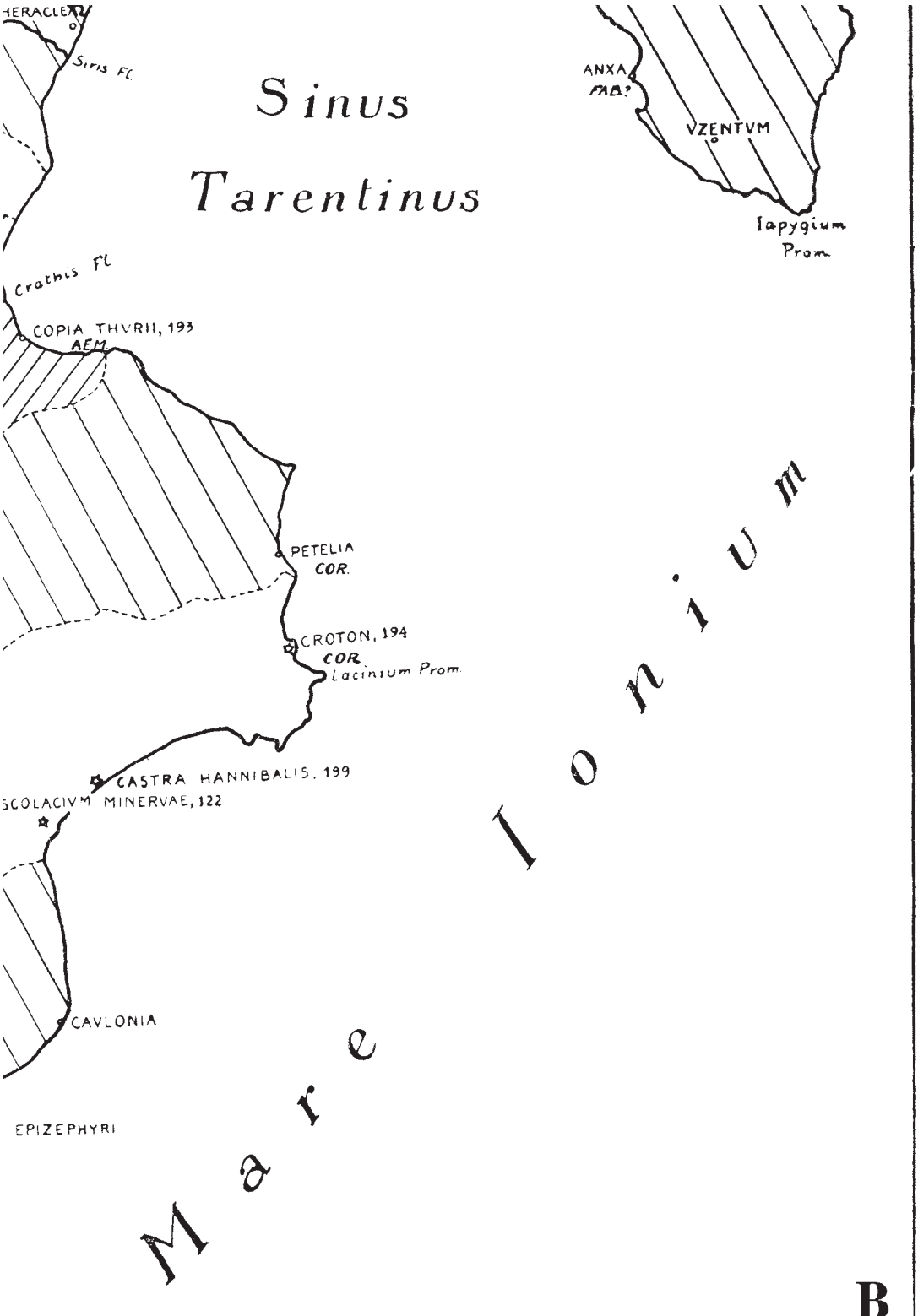
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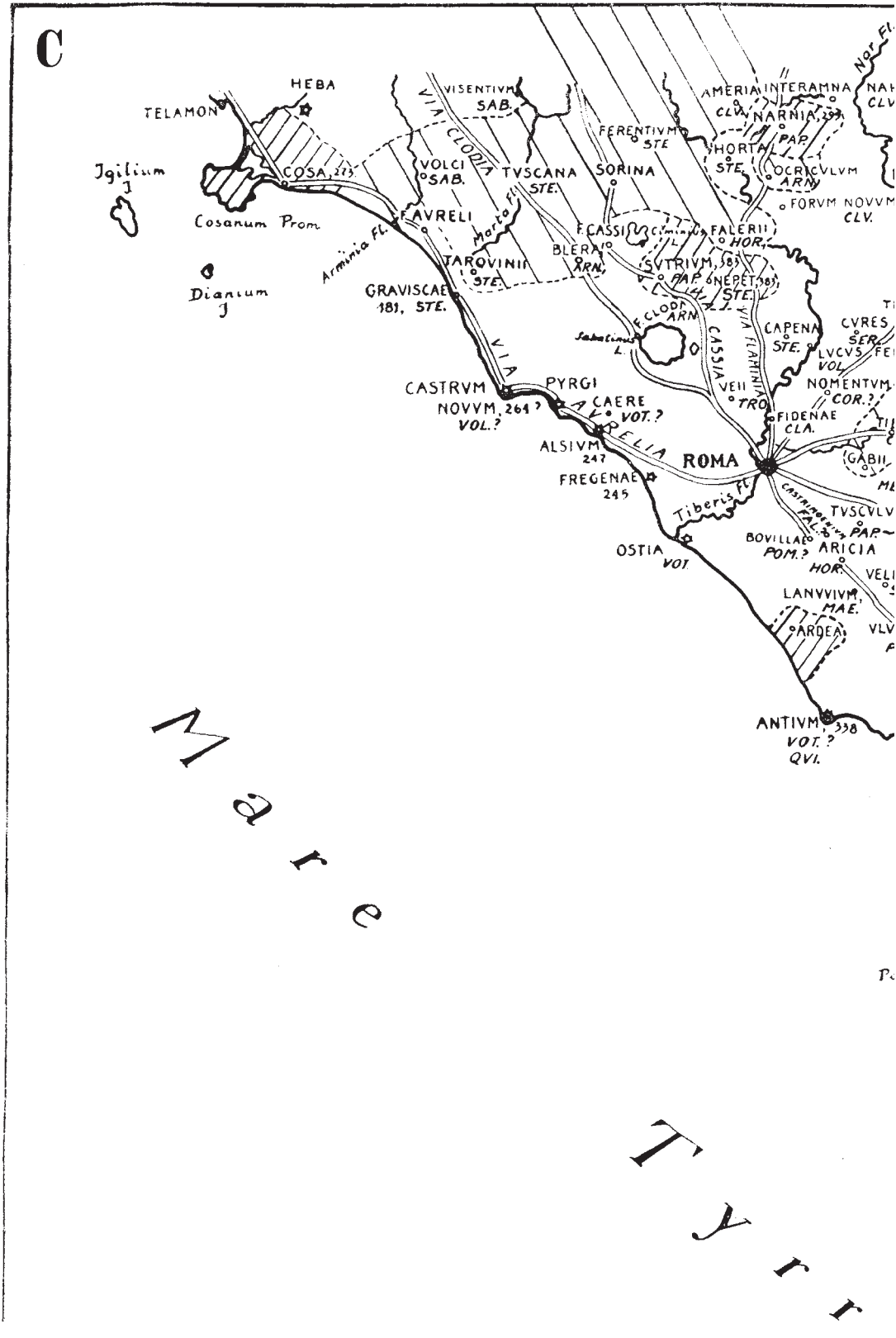
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NOMENTVM
COR.?
FIDENAE
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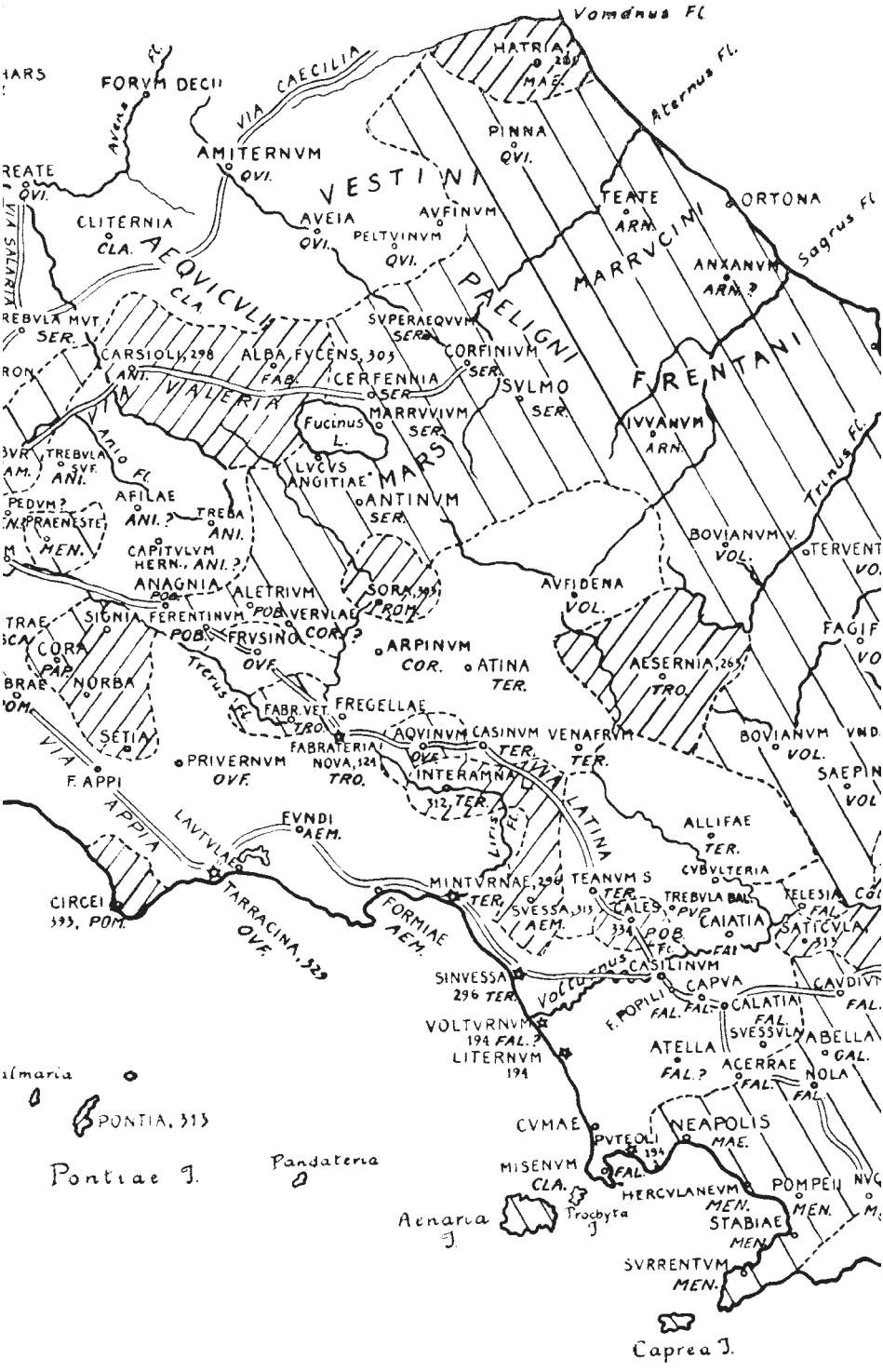

Vomanus Fl.
HATRIA
MAE.
Aternus Fl.
FORVM DECII
VIA CAECILIA
Avens Fl.
AMITERNVM
QVI.
PINNA
QVI.
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TEATE
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CLA.
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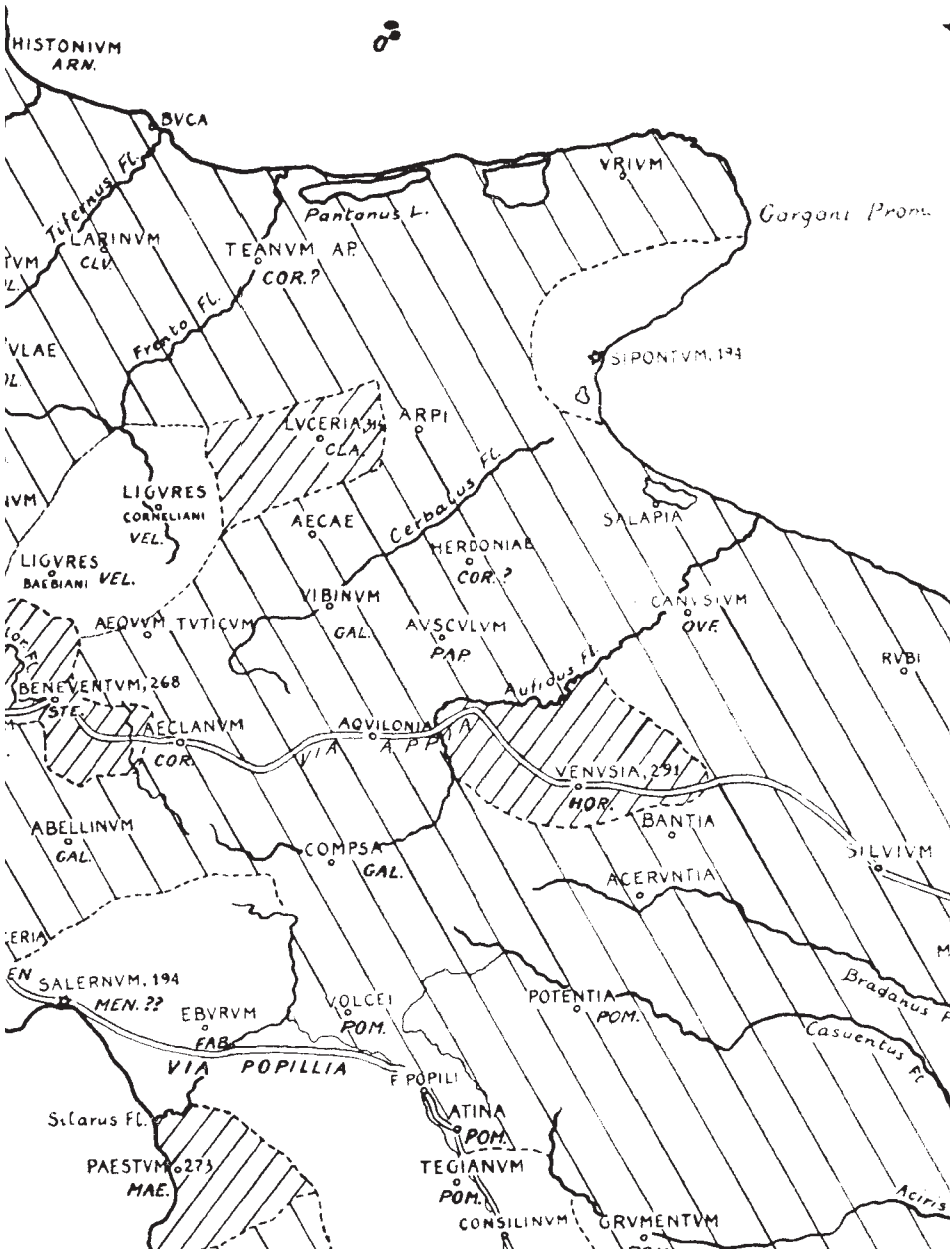
Procbyta I.
STABIAE
MEN.
SVRRENTVM
MEN.
Caprea I.


HISTONIVM
ARN.
BVCA
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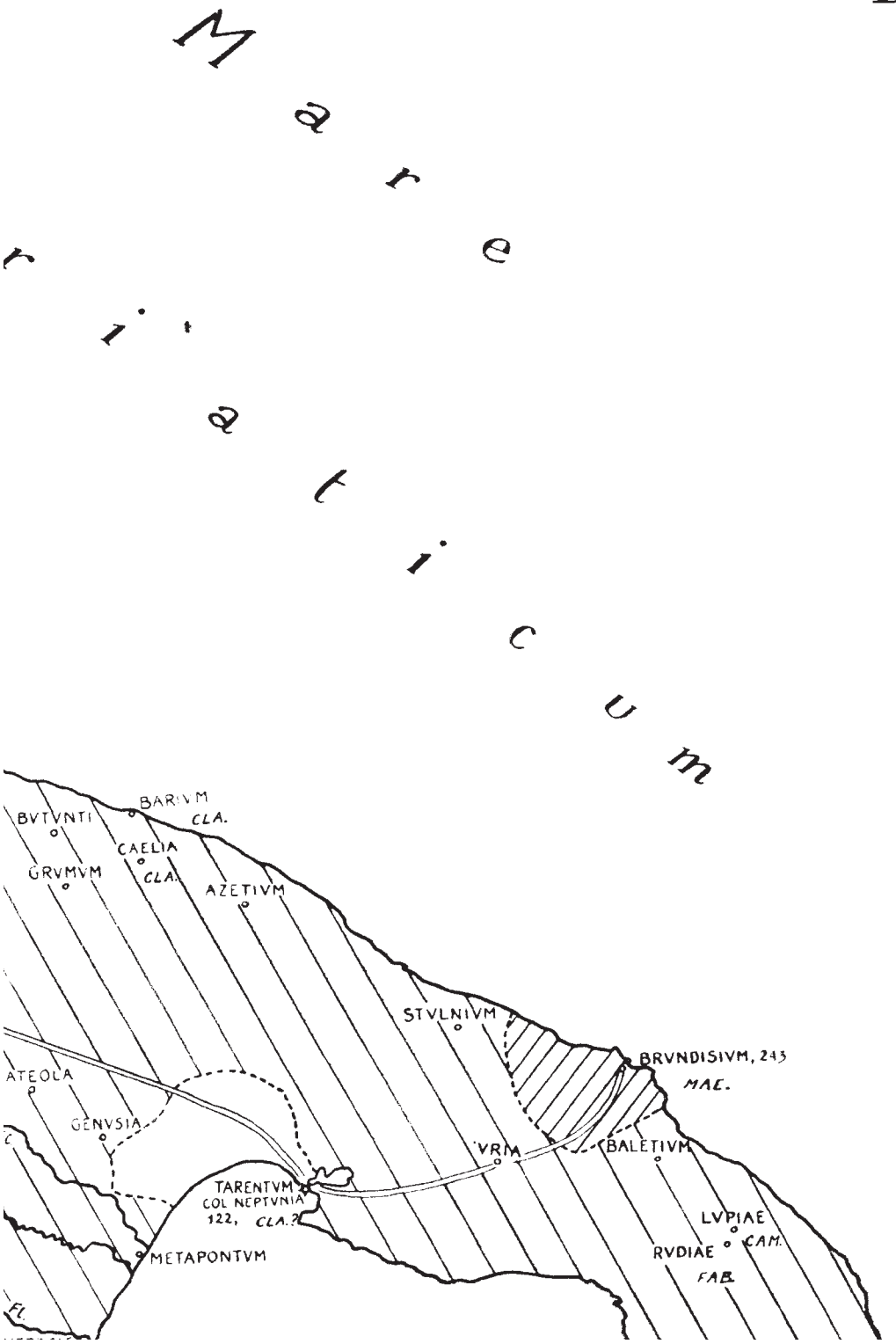
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LILY ROSS TAYLOR AND THE ROMAN TRIBES

Jerzy Linderski

When the *The Voting Districts of the Roman Republic* appeared in 1960, Lily Ross Taylor stood in the seventy-fifth year of her life. The author of such classics as *The Local Cults in Etruria* (1923), *The Divinity of the Roman Emperor* (1931), and *Party Politics in the Age of Caesar* (1949) and of scores of celebrated articles, she already inhabited the temple of Clio as one of the greatest American students of Rome. After *Voting Districts,* she went on to publish *Roman Voting Assemblies* (1966), a marvel of light and clarity.[1]

Voting Districts formed a culmination of a long line of studies on Roman tribes, going back to the erudites of the Renaissance.[2] Taylor's immediate predecessors were three German and Austrian scholars of the nineteenth century, beginning with the great Theodor Mommsen, whose early work *Die römischen Tribus* (1844) had flown, revised and shortened, into his monumental *Römisches Staatsrecht* (vol. 3.1 [1887]: 161–98). C. L. Grotefend's *Imperium Romanum tributim descriptum* (1863) represents the next valiant effort. It was soon eclipsed by two monographs from the pen of the Austrian Wilhelm Kubitschek, *De romanorum tribuum origine et propagatione* (1882) and *Imperium Romanum tributim discriptum* (1889), the latter praised by Taylor in *Voting Districts* (x; cf. 30) as a "great work."

[1] For biographical and bibliographical information, see T. R. S. Broughton in W. W. Briggs, Jr., and W. M. Calder III, eds., *Classical Scholarship: A Biographical Encyclopedia* (New York, 1990), 454–61, and in W. W. Briggs, Jr., ed., *Biographical Dictionary of North American Classicists* (Westport, 1994), 636–38; J. Linderski in *American National Biography* 21 (1999): 390–91, reprinted (with addenda) in Linderski 2007, 2:581–83. A complete bibliography of Taylor's writings (through 1966) was published as a pamphlet by Bryn Mawr College (1966). A commented edition of her papers is a desideratum. For the books and articles adduced with only the abbreviated title or the year of the publication, see detailed references in the bibliography following this essay. For publications listed in Taylor's bibliography, I largely use her abbreviations.

[2] See G. Forni, "Tribù romane e problemi connessi dal Biondo Flavio al Mommsen," in *Studi di storia antica in memoria di Luca de Regibus* (Genoa, 1969), 17–90 = *Scripta* 2006, 87–151. Biondo Flavio (Blondus Flavius, 1392–1463) of Forlì (Forum Livii) devoted succinct remarks to Roman tribes in the third book of his *De Roma triumphante libri decem* (1459 and several later editions). He was aware that there were thirty-five tribes, and although he confuses *tribus* and *curiae* (cf. below, n. 32), he correctly identified twenty-four tribes. For more recent studies, see Rieger 2007, 18–23.

The study of Roman tribes has two sides, very disparate and requiring minds primed to vastly differing endeavors. On the one side stands law and administration; on the other, topography and prosopography. Taylor mastered all those strands and blended them in a unique alloy never attempted on such scale before or afterward. She was not just endowed with a store of erudition: her main gift was the ability to explain complicated things clearly and succinctly. To her, muddled style was the sign of a muddled mind. Her sentences march orderly; you will not find a single convoluted turn of speech, nor will you find superfluous pathos. Precise in descriptions, cool in reasoning—that is her idiom. She was also possessed of the courage to profess ignorance.

Taylor's book falls into three distinct units: two introductory chapters set the stage (pp. 3–24); part I, "The Geographical Distribution of the Tribes in Italy" (chaps. 3–11, pp. 25–164), hides under its innocuous title a dispassionate but engrossing exposition of the relentless march of Rome and the penetration of the Roman administration into every town and village and every hill and dell of Italy. With part II, the tone changes: from geography and the Roman encroachment on the nations of the peninsula, we move to geography and the people, but only to the elevated personages, to the tribes of republican senators (chaps. 12–16, pp. 165–315). These chapters offer insight into the *incunabula* of the various senatorial *gentes,* their cradle, as Cicero (*Att.* 2.15.3) called his hometown. The entrants are provided with their census registration (the tribal affiliation) and their ancestral address (their hometown). The senatorial families are thus placed both in their Roman and their Italian environment. They formed a largely hereditary corporation, a class of collective rulers of Rome, Italy, and the empire. Taylor's pages illuminate the territorial basis of their affluence and influence.

Shortly after publication, Taylor's opus became the subject of numerous reviews and appraisals and general admiration. Of those encounters with Taylor, two essays coming from the pen of two other immortals have themselves acquired enduring fame. First, perhaps towering above all, are Ernst Badian's pages in the *Journal of Roman Studies* in 1962, an obligatory reading: nobody has better illuminated, with verve and acumen, the multiple strengths and a few weaknesses of Taylor's argument and of her collection of the material. Next and equally mandatory is "Senators, Tribes, and Towns" by Ronald Syme (1964), a dazzling display of knowledge and acuity.[3]

[3] Worth consulting are several other extended reviews by a procession of luminaries: T. F. Carney, *Phoenix* 17 (1963): 61–66; F. Grosso, *RFIC* 41 (1963): 230–35; Ernst Meyer, *Gnomon* 33 (1961): 600–604; C. Nicolet, *REL* 39 (1961): 386–89; J. H. Oliver, *AJA* 66 (1962): 114–15; A. Piganiol, *RH* 233 (1965): 451–53; E. T. Salmon, *AJP* 83 (1962): 191–93; F. Sartori, *BIDR* 66 (1963): 133–44, describing Taylor's book as a "mirabile lavoro" (144); E. S. Staveley, *CR* 12 (1962): 73–75; H. Volkmann, *Gymnasium* 69 (1962): 137–40.

The present essay does not intend to vie with these two *illustres* or other reviewers of note. Its goal is limited and humble. Much has happened in this field in the intervening five decades: many books appeared, some of importance or usefulness; a flood of articles, often in local Italian journals, brought new material and rearranged the old; and, above all, numerous new stones came to light bearing indications of tribes. The readers of Taylor ought not to be left on their own in the middle of the previous century, looking with apprehension at the growing volume of modern literature, where chaff not infrequently dwells side by side with brilliance, verbosity with information. This essay thus attempts to offer a modest updated guide to those who are not engrossed in the study of Roman tribes. By and large, it follows the path that proved so efficient for Ernst Badian, proceeding chapter by chapter.[4]

Chapter 1 (pp. 3–16). The origin of the tribes, Taylor wrote, "is shrouded in obscurity," and, she wryly observed, "has accordingly been a favorite subject of speculation among scholars" (3–4). It still is. Taylor very sensibly decided to follow the ancient tradition[5] and devoted to the origins only a few pages, but for those who would wish to delve into the quicksand of speculation, there is no dearth of recent offerings. Rieger (2007) needs 738 pages (more than twice the size of Taylor's monograph) to take his account down to 450; prolix and meandering, Rieger's book paints a panorama of Roman tribal institutions against the Italic and Greek background and provides a staggering mass of detail and bibliography. It begins *ab ovo* with the formation (*Stadtwerdung*) of the city of Rome and its original three (gentilician) tribes,[6] strangely arguing for extensive Hellenic influences. Of greater interest for readers of Taylor will be Rieger's generally excellent chapters dealing with the urban and rural tribes and especially with their geographical location (see below). Cels-Saint-Hilaire (1995), who also opens with the foundation of Rome, extends the story to the end of the fourth century. As a general introduction to recent thinking about early Rome and its institutions, including the tribes, Cornell's 1995 book will be a good starting point, especially for those with a skeptical but open mind.

On the etymology of the term *tribus,* Taylor was noncommittal, except for its connection with the Umbrian *trifu* (3 n. 4). Currently, the view

[4] No full bibliography is attempted; modern works are adduced only if they offer new information or a cogent argument or if they are relatively recent and rich in references.

[5] This, of course, should not intimate that the Roman tradition is reliable; that it is not has been common knowledge for a long time, at least since L. de Beaufort's treatise *Dissertation sur l'incertitude des cinq premiers siècles de l'histoire romaine* (Utrecht, 1738). Modern attempts to dispel this incertitude suffer from the same indelible flaw of uncertainty (cf. Linderski 2007, 2:31–33).

[6] On clans and tribes, one may consult Smith 2006, esp. 188–89, 225–50.

prevails that both words derive from the same Indo-European compound noun denoting "tripartite entity." In Latin, the term acquired the meaning "third of the polity."[7] This view squares exquisitely with the tradition of the original tripartite division of Roman *gentes* into the three tribes of Ramnes, Tities, and Luceres. To this topic, Taylor dedicated just one paragraph, but at some point, the denomination *tribus* was transferred from clan units to territorial districts, in which application it lost its semantic connection with any notion of "three."

Those new local districts are the subject of Taylor's book. Roman sources attribute the reform to King Servius Tullius, and Taylor accordingly but cautiously assumed that territorial tribes were established both in the city and in the countryside still in the regal period. She curtly dismissed various attempts to redate this watershed in the political organization of Rome to the republican times, to the fifth or even the fourth century. Debate about chronology persists, with the same arguments repackaged again and again.[8] Cornell (1995, 173–77) sums up the situation very well: the oldest twenty-one territorial tribes (four urban and seventeen rural) probably "go back at least to the beginning of the fifth century." This opinion depends on Livy's laconic notice under the year 495: "Romae tribus una et viginti factae" (2.21.7). The phrase is linguistically rather obscure,[9] but historical considerations clarify its meaning. Between 387 and 241, fourteen districts were created, bringing up the total and final number of tribes to thirty-five. Now, under the year 504, Livy records the arrival in Rome of the Sabine Attius (Appius) Claudius with a large group of his retainers; they were given land on which to settle, and on this territory, a new tribe, *tribus Claudia,* was later instituted (2.16.4–5).[10] This must mean that not all twenty-one tribes were simultaneously created

[7] M. de Vaan, *Etymological Dictionary of Latin and the Other Italic Languages* (Leiden, 2008), 629, s.v. "tribus." De Vaan follows the brilliant demonstration in M. Weiss, "*Cui bono?* The Beneficiary Phrases of the Third Iguvine Table," in *Verba Docenti: Studies in Historical and Indo-European Linguistics Presented to Jay H. Jasanoff,* ed. A. Nussbaum (Ann Arbor, 2007), 365–78, at 369–76; and see now Weiss, *Language and Ritual in Sabellic Italy* (Leiden, 2010), 189–200, esp. 199–200. Cf. Rieger 2007, 159–73, esp. 171–72.

[8] Cf. the review of various reconstructions by Cels-Saint-Hilaire 1995, 17–31, 101–55; Rieger 2007, 345–61. Especially important and influential have been the ideas of A. Alföldi (*Early Rome and the Latins* [Ann Arbor, 1963], 288–318, esp. 306–18): he interprets the names of several rural tribes (Lemonia, Pollia, Pupinia, Voltinia, Camilia) as derived from toponyms and not the *nomina gentilicia,* and he assigns those tribes to the regal period; he would collocate the establishment of the remaining tribes bearing the names of *gentes* (and of Galeria—according to him, a topographical name) in the period after 450. See also Humbert 1978, 49–84.

[9] Cf. R. M. Ogilvie, *A Commentary on Livy, Books 1–5* (Oxford, 1965), 292–93.

[10] Livy's text is again problematic, and Ogilvie (1965, 274–75) again provides an illuminating comment.

in 495—when, interestingly, Appius Claudius happened to be consul—but that their number reached twenty-one.[11] That the Claudian tribe was organized in that year is a plausible inference, despite Badian's caveats (1962, 201). The twenty-first tribe would be the Clustumina, established on the territory of Crustumerium, conquered a few years previously; it was also the first rural tribe with a topographical name, whereas all earlier sixteen rural tribes bear the names of various *gentes* (see below, on chap. 4). This is the rock, firmly embraced by Taylor (cf. 35–37), on which the traditional chronology rests.

As Taylor points out, in the early republic, tribes formed compact territorial districts and had administrative functions: they served as the basis for census, tax collection (*tributum*), and the military levy (*dilectus*). Next came their employment as voting units. Already in the first part of the fifth century, tribal assemblies were electing plebeian officers, and later they began electing all lower state magistrates. Finally, they became the major venue for legislation. Taylor presented all those functions and developments only in a broad outline; a few years later, the *concilium plebis* and the *comitia tributa* received a masterful treatment in her book *Roman Voting Assemblies* (1966). Several topics broached by her may profit from a comment or a bibliographical annotation.

Census, Dilectus. Conflicting views abound. In particular, E. Lo Cascio explicitly challenges Taylor (and P. Fraccaro) and argues (largely following E. Gabba) that the census and levy originally had nothing to do with the tribes; they were based exclusively on the lists arranged according to the division of the populace into classes and centuries. Only in the late fourth century, with the establishment of the tribes Maecia and Scaptia (in 332), do we first hear of any connection between censors and tribes; consequently, it is only since about that time that the lists of citizens have been organized *tributim*.[12] This argument is cogent—with a weighty proviso: it assumes that Livy's history is an accountant's record, with no omissions, a point not surprisingly already made by Mommsen (*RSt* 2^3.390 n. 2).

Tributum. When this taxation was introduced is disputed.[13]

Onomastic formula. The official name of a Roman in the later republic consisted of three elements: *praenomen, nomen,* and the indication of the tribe (*cognomen* was not mandatory). This scheme became prevalent in the course of the second century.[14] The oldest inscriptional example of

[11] Rieger (2007, 353–82) persuasively admits 495 as the *terminus ante quem* but leaves largely open whether that year marks the establishment of both Claudia and Clustumina or of only one of them (and, in the latter case, which one).

[12] Lo Cascio 2001, 576–83. Cf. also his article in *PLP* 2008, 239–56.

[13] C. Nicolet, *Tributum: Recherches sur la fiscalité directe à l'époque républicaine* (Bonn, 1976), esp. 16–55, to be read in conjunction with S. Northwood's lucid piece "Census and Tributum," in *PLP* 2008, 257–70.

[14] See the comprehensive treatment by G. Forni: "Il ruolo della menzione della

a tribal indication on record is still that of the senator M'. Acilius, a witness to the *senatus consultum de Thisbaeis* of 170 (13 n. 28, 185–86).[15] This is a Greek text; the oldest Latin inscription with a (possible) mention of tribe was found not long ago in Egypt, scribbled on a reused block from a wall of a temple on the island of Philae, which, with its shrine of Isis, was a magnet for ancient tourists and pilgrims. The text, precisely dated to 26 August 116, reads: "[C.] Acu[ti]us [-] f. Ter(etina) / hoc venit primus / a(nte) d(iem) v k(alendas) Septembris / Q. Fabio C. Licinio cos." Below this text is the Greek ΓΑΙΟΣ ΑΚΟΥΤΙΟΣ. The abbreviation *Ter.* is generally interpreted as the tribal indication *Ter(etina),* rather than the cognomen *Ter(tius)*.[16]

Chapter 2 (pp. 17–24). Taylor's conclusions still stand. Although direct evidence is not available, it is reasonable to postulate that new tribes were always created by legislation; the actual registration was naturally carried out by censors.[17] But who decided to which tribe the new citizens were to be assigned, and in which way and on what grounds did they make the decision? The practice varied; the legal situation is murky, and no new documents emerged to allow us to go beyond the careful and hesitant assessment of Taylor as encapsulated in her conclusions (24).[18]

There were various paths to Roman citizenship, but the glorious way

tribù nell'onomastica romana," in *L'Onomastique latine* (Paris, 1977), 73–101 = *Scripta* 2006, 185–229; "L'indicazione della tribù fra i nomi del cittadino romano," *Athenaeum* 55 (1977): 136–40 = *Scripta* 2006, 231–35.

[15] It might be of interest to note that the last documentary mention of a tribe occurs in an inscription from Hispellum in Umbria honoring *C. Matrinius Aurelius C. f. Lem(onia tribu) Antoninus v(ir) p(erfectissimus), coronatus Tusc(iae) et Umb(riae),* dated to ca. 337 (*CIL* XI 5283 = *ILS* 6623). See G. Forni, "La più recente menzione di tribù romana," *Atti dell'Accademia Romanistica Costantiniana* 3 (1979): 233–37 = *Scripta* 2006, 267–69.

[16] *CIL* I^2 2.2937a. See esp. H. Devijver and E. Van't Dack, "Un nouveau témoignage concernant le nom Aqutius," *AncSoc* 13–14 (1982–83): 167–77; endorsed in Forni, *Tribules* 1.3, Rep. no. 3; cf., recently, J. L. Beness and T. Hillard, "The First Romans at Philae," *ZPE* 144 (2003): 203–7.

[17] Cf. Oakley 1997, 1:50, 61, 440, 790. He accepts Taylor's argument, but when he speaks of censors "establishing" or "creating" the tribes, his choice of terminology may be confusing.

[18] On one of the key documents discussed by Taylor (20, 22), see now A. Raggi, *Seleuco di Rhosos: Cittadinanza e privilegi nell'Oriente greco in età tardo-repubblicana* (Pisa, 2006), esp. 85–94, 117–25. Seleucus was to be enrolled in the Cornelia; Taylor suggests that he may have been placed on the lists of (probably) a colony in that tribe. Raggi (118–19) proposes a different interpretation: Cornelia (on the basis of *MAMA* VI 104) appears to be the tribe of Antonius; and in that tribe during the triumviral period will have been inscribed the majority of the new citizens originating from the eastern regions. The question must remain *sub iudice,* but Raggi's interpretation seems forced.

to earn it was *virtutis causa,* for valor on the battlefield in the service of Rome. Taylor devoted to the topic a couple of pages (19–20) discussing the assignment of tribes to the men so enfranchised; Badian (1962, 200) observed that the subject "might repay further investigation." It has. We can recommend several studies on the legal aspects of such grants and on the Roman concept of martial virtue.[19]

Chapter 3 (pp. 27–33). This chapter opens with a quotation from the pamphlet *De petitione consulatus* ascribed to Quintus Cicero. This script, with its invocation "totam Italiam fac ut in animo ac memoria tributim discriptam comprehensamque habeas," understandingly looms large also in Taylor's *Party Politics.* Its authenticity has been repeatedly questioned,[20] but Taylor remained unconvinced. It certainly might be granted that Quintus may not have been the author, but the text does not, on any fresh reading, convey an aura of a later imperial declamation; it is well informed and must have been composed at the time when at least the memory of the electoral importance of the tribes was still alive. The composer of the *Commentariolum* imparted a precious exhortation to modern students of Roman politics, who, since the Renaissance through Taylor to our days, have vigorously pursued the reconstruction of *Italia tributim discripta* (cf. above, n. 2; below, on chap. 12).

Chapter 4 (pp. 35–45). In this undertaking of *discriptio Italiae,* the first order of business is to establish the original location of the tribal districts. This task must be approached in two separate rounds: of the thirty-one rural tribes, the first seventeen were formed in the obscure period of Roman history, and the dearth of direct sources invites doubt and dispute (cf. above, on chap. 1). The map attached to page 35 speaks louder than words and gives an instant idea of Taylor's geographical disposition of the early seventeen tribes. Queries accompany eight names: Fabia, Pollia, Sergia, Cornelia, Camilia, Menenia, Voltinia, and Aemilia. But queries, especially on maps, tend to be overlooked, and thus we must turn to words and arguments.

The first extensive reexamination of Taylor's reasoning was executed

[19] Coşkun 2004, 101–32, 102–3, 108, 130–31 (although he missed A. Krawczuk's monograph *Virtutis ergo* [Kraków, 1963]); V. A. Maxfield, *The Military Decorations of the Roman Army* (Berkeley, 1981), 227–32. See also W. Eisenhut, *Virtus Romana* (Munich, 1973), esp. 40–43; M. McDonnell, *Roman Manliness:* Virtus *and the Roman Republic* (Cambridge, 2006), esp. 356–78 (neither of them directly discusses military awards for *virtus*).

[20] See, most recently, M. C. Alexander's impressive piece "The *commentariolum petitionis* as an Attack on Election Campaigns," *Athenaeum* 97 (2009): 31–57, 369–95. For a different and equally compelling view, see W. J. Tatum, "*Alterum est tamen boni viri, alterum boni petitoris:* The Good Man Canvasses," *Phoenix* 61 (2007): 109–35.

by Badian (1962, 202–3). If he had produced a map, it would be partly blank and partly covered with multiple question marks. Fabia, Cornelia, Camilia, Menenia, and Voltinia would disappear from the map altogether, their original locations impossible to pinpoint even approximately. As Badian sees it, entirely certain are only the sites of Claudia, Clustumina, Lemonia, and Pupinia; however, Pupinia will trade Taylor's certainty for Badian's and will occupy the land vacated by Camilia. Queries would now sprout also next to Romilia (tentatively relocated to the northwest of Rome) and Voturia (to be moved to the north, across the Tiber). Aemilia is transferred northward, where it displaces Menenia and would be pointing in the direction of Gabii. Badian is probably right as to Cornelia; Taylor's placement derives from her idea that Cornelia was the tribe of Nomentum, a surmise resting on uncertain ground (see below, on chap. 11). New evidence has emerged concerning Voltinia and Voturia, and consequently the views of both Taylor and Badian are in need of a correction. In a series of brilliant contributions utilizing new epigraphical finds, Lidio Gasperini has established that all Roman cities in the former *ager* of Caere were assigned to Voltinia (Caere, Alsium, Castrum Novum, Forum Clodii, Fregenae, and Pyrgi; see below, on chap. 11). This development leads to a reevaluation of the original territory of the tribe. Taylor placed it tentatively on the left bank of the Tiber, across from the Romilia and next to the Lemonia, but Gasperini would locate it on the right bank and the coast, immediately to the south of the Romilia.[21] Its neighbor across the mouth of the river was Voturia, which in this way retains (against Badian) the location favored by Taylor. Furthermore, there cannot be any serious doubt that Voturia was, as assumed by Taylor, the original tribe of Ostia.[22] There is also a new development concerning the Pupinia. An inscription found in the vicinity of Pedum and dated to around the end of the second century BCE (*AE* 1984, 176) leads to a suggestion that the city was inscribed in the Pupinia, reopening the question of the original location of this tribe and of the neighboring districts.[23]

[21] L. Gasperini, "Etruria tributim discripta: supplementa nonnulla," *Quaderni catanesi di cultura classica e medievale* 2 (1990): 149–73, esp. 162–65 (= *Studi in memoria di Santo Mazzarino III*); "Ancora sulla tribù Voltinia dei ceriti," in *Cultus splendore: studi in onore di Giovanna Sotgiu,* ed. A. M. Corda (Senorbì, 1993), 499–515; "Alsienses Voltinia tribu," in *"Eine ganz normale Inschrift" . . . und Ähnliches zum Geburtstag von Ekkehard Weber,* ed. F. Beutler and W. Hameter (Vienna, 1995), 273–74. See also the comprehensive summary by A. Arnaldi and L. Gasperini in *Tribù* 2010, 225–33.

[22] Cf. M. Cebeillac-Gervasoni and F. Zevi, "Le tribù di Ostia," in *Tribù* 2010, 161–69. See also F. Zevi, "Catone e i cavalieri grassi. Il culto di Vulcano ad Ostia: Una proposta di lettura storica," *MEFRA* 121 (2009): 503–13, an interesting discussion of the *gens* Veturia, the *tribus* Veturia, the *sacra familiaria* of the Veturii, and the cult of Vulcanus at Ostia (cf. Taylor 42; Rieger 2007, 565–68).

[23] M. G. Granino Cecere, "La tribù *Pupinia:* Territorio e *gentes,*" in *Tribù* 2010, 157–59.

It appears not unreasonable generally to side with Taylor—that is, to assume, as a working hypothesis, that non-Roman communities bordering on the old *ager Romanus* would be inscribed in an adjacent tribe upon the enfranchisement and to deduce the approximate original location of Horatia, Papiria, Pupinia, Menenia, Camilia, and Cornelia on this premise. Badian objects, but he himself follows a similar procedure when he places Aemilia next to Gabii because Aemilia may have been (and very probably was; cf. Rieger 2007, 522–26) the tribe of that city. Rieger (2007, 495–521) has indeed generally endorsed (and refined) Taylor's method; the topographical results of his detailed investigation (521–611 and 728, map) are as follows: proceeding counterclockwise from the via Appia, we traverse the territories of Horatia, Lemonia, Papiria, Menenia, Aemilia, Pupinia, Camilia, Cornelia, Sergia, Claudia, Clustumina, Romilia, Voltinia, Galeria, Voturia, and Fabia. Queried are only the locations of Aemilia and Sergia. Thus Horatia and Papiria largely retain Taylor's placement; however, between these tribes is now squeezed Lemonia, whose territory Rieger rather convincingly extends along the via Latina. Aemilia and Pupinia are where Badian would wish to have them, and Rieger (2007, 532) explicitly accepts his incisive remarks, but Cornelia keeps its direction toward Nomentum. The location of Sergia, Claudia, Clustumina, Pollia, and Voturia is unchanged. Galeria and Romilia switch their territories, with Voltinia wedged between them. This proposition disregards the *ordo tribuum;* we must keep Romilia and Voltinia as close neighbors (see below, on chap. 6).

Fabia remains methodologically an interesting case. Taylor, following Kubitschek, located it to the north of Rome, facing Veii and the river Cremera, at the banks of which the Fabii and their retainers suffered the famous debacle at the hand of the Veientines in 477. Badian's (1962, 201) cavils are trifling, and Rieger's (2007, 547–64) relocation of Fabia to the south of Rome, between Voturia and Horatia, depends on his surmise that Lavinium belonged to the Fabia (ingenious and erudite, but not necessarily convincing; cf. *Tribù* 2010, 153). Furthermore, Rieger (2007, 434–43) falls into the trap of hypercriticism and doggedly argues that the story of the Fabian heroic enterprise is all annalistic invention. But such military undertakings spearheaded by clans and adventurers were a common feature of archaic Italy and Rome, as exemplified now by the famous inscription from Satricum recording a P. Valesius and his *sodales.*[24] Thus, even if Lavinium were inscribed in the Fabia, this still would not be sufficient ground to abandon the idea that the original location of Fabia was in the vicinity of the via Salaria.[25]

[24] See the sane presentations in Cornell 1995 (143–50, 311, 459) and Smith 2006 (290–95). The Valesius of the inscription may well be identical with the first consul of Rome.

[25] Cf. Crawford, *Tribù* 2010, 99; and below, n. 34.

Chapter 5 (pp. 47–68). Fourteen new tribes were instituted in the span of forty-seven years from 387 to 241. The map attached to page 47 is starkly eloquent: it illustrates the rapid progression of the Roman expansion in every direction, to the north, south, and east of Rome. The turning point was the year 396, when the mighty Veii fell; its territory was soon, in 387, parceled out between the four new tribes: Stellatina, Tromentina, Sabatina, and Arnensis.[26] Here again, it will be convenient to compare Taylor's placement of the new tribes with the current evidence. In general, there are no significant changes, although, as we have already seen (above, on chap. 4), on the strength of new inscriptions, the whole former territory of Caere must be attributed to Voltinia. As Voltinia definitely turns out to be also the tribe of Forum Clodii (see below, chap. 11), the Arnensis must be displaced further north, to the via Clodia. The exact confines of the four "Veientine" tribes are probably unrecoverable, but if we invoke the *ordo tribuum* (see chap. 6), we might assume that the original areas of Arnensis and Romilia, the last and the first tribe in the *ordo,* were contiguous.

The fourteen tribes may indeed present "fewer problems" (so Badian 1962, 202) than the earlier districts; indeed, we know the dates and (to some extent) the circumstances of their foundation, but puzzles abound. Why was a tribe instituted in 358 called Poplilia (Publilia)? This posed a problem already for Roman antiquarians; it is memorably misnamed Popiliaby Festus (264 L.)—or, rather, his sources—thus substituting the name of one prominent plebeian family for another. Taylor connects the name with the rise to prominence of the plebeian Publilii (50–53; cf. Oakley 1998, 2:174–75), who were soon to boast of the great reformer Q. Publilius Philo, though he was only at the beginning of his career in 358. Thus Taylor suggests that the *progenetrix* Publilia, alluded to in the mutilated passage of Festus, was an ancestress of C. Plautius, the plebeian consul of 358, who subdued the Hernicans and on whose land the Publilian tribe was planted. The name of a plebeian *stirps* given to a new tribe was a visible sign of the growing political clout and prestige of the plebeian aristocracy, particularly if we consider that all other tribes established after 495 bear geographical denominations.

What was the original location of Scaptia (54–55)? Festus (464 L.) avers it was named after *urbs Scaptia;* but this city has vanished from the earth and from the records. Taylor places the tribe in the area of Velitrae, because Scaptia was the tribe of the Octavii and Augustus and because Velitrae was their hometown. Doubts, rather too hastily, have recently been cast on this equation (see below, on chap. 11). A forceful article utilizing a

[26] See Harris 1971, 41–84, by far the best presentation of the Roman conquest and organization of Etruria. At 329–41 is a catalogue of tribal allocations in Etruria and Umbria that is still very much worth consulting, despite the updates in *Tribù* 2010, as is also S. Sisani, *Fenomenologia della conquista: La romanizzazione dell' Umbria tra il IV sec. a. C. e la guerra sociale* (Rome, 2007), 205–25.

neglected passage of Silius Italicus (8.359–70) vindicates Scaptia for Velitrae and succeeds in reconciling the localizations of Taylor and Beloch.[27]

Next, we must reconsider the Teretina. It was named (so Festus 498 L.) *a flumine Terede,* otherwise unknown. Taylor, again in polemic with Mommsen and Beloch, placed the original territory of Teretina not in the valley of the Sacco but, rather, in the coastal region, where it was the tribe of Suessa Aurunca, Minturnae, and (almost certainly) Sinuessa. Badian and other scholars applauded. Shortly before her death, Taylor found a confirmation when a textual crux was abolished. Cicero was traveling along the via Appia toward Rome, and he so appraises Atticus (16.13.1), "cum ante lucem de Sinuessano surrexissem venissemque ad pontem †Tirenum qui est Minturnis." B. Frier proposed to read *ad pontem Teretinum;* perhaps the river Liris formed the border of the Teretine tribe. Taylor seized on this "brilliant interpretation," observed that border marks between the tribes are not on record, and immediately connected the emendation with the notice of Festus. She took Teres to be a confluent of Liris, near the spot where the bridge spanned the bigger river. Frier, on his part, rather cogently suggested that *Teres* would most likely be the name given to the lower Liris and its estuary.[28] If we accept the emendation, the bridge firmly anchors the original Teretina to the Ausonian coast.

Finally, we must reconsider Quirina and Velina, the last tribes to be established (in 241). For Taylor, they present an odd anomaly: their names do not fit geography (59–63). Velina, named after the lake Velinus, near the Sabine Reate, was not the tribe of that city (the Reatini were in the Quirina) but occupied territories further north, among the Praetuttii and Picentes.[29] According to Festus (304 L.), Quirina derived its name from the Sabine city of Cures, but Sergia not Quirina was the dominant tribe in Cures. Taylor's explanations are, *pudet dicere,* overwrought and improbable; see Badian's critique (1962, 203). As Badian points out, there was another *lacus Velinus,* in Picenum (Plin. *NH* 2.226), and thus the name and the location of the tribe would cohere perfectly. The name of Quirina must remain in the sphere of surmises. Etymologically or historically, deriva-

[27] J. H. Richardson, "On the Location of the *Urbs* and *Tribus Scaptia,*" *Hermes* 135 (2007): 166–73. On Beloch's proposition, see Taylor, 55, and, in detail, Richardson, 167–70, demonstrating the influence on Beloch of annalistic accounts—or fabrications.

[28] B. W. Frier, "Points on the Topography of Minturnae," *Historia* 18 (1969): 510–12; "Lily Ross Taylor on the *Pons Teretinus,*" *Historia* 22 (1973): 123–25. She never published her observations, but fortunately she communicated them to B. Frier, to whom we owe thanks for rescuing them from oblivion.

[29] Taylor's phrase is "the country of the Praetuttii and Piceni" (63). The word form *Piceni* is incorrect. The adjective *Picenus* does exist, but it refers exclusively to things and geographical descriptions (*ager Picenus*); as Latin data banks demonstrate, it was not used with reference to the people. The inhabitants of *Picenum* (a substantive form) were called *Picentes* by the Roman authors (Cato, Cicero, Livy, and many later writers).

tions from Cures, Juno Cur(r)itis/Quiritis, Quirinus, *quirites,* or the Sabine word for spear, *curris/quiris,* are more or less plausible or implausible. One of them will be right, but we do not yet know which one.[30]

Chapter 6 (pp. 69–78). Brief and exciting, this chapter imparts a lesson on how to present complicated evidence clearly and succinctly and use it in the pursuit of a broader objective. Various literary and epigraphical sources attest the existence of an official order of all thirty-five tribes, beginning with the urban Suburana and ending with the rural Arnensis (so Cic. *Leg. agr.* 2.79), with Romilia being the first among the rural districts (so Varro *L.L.* 5.56). It occurred to Taylor, after she had already located most of the rural tribes, that their geographical arrangement corresponded to the official order: starting with Romilia, they girded Rome in a counterclockwise sequence. This ingenious theory has been brusquely rejected by Badian (1962, 204), and Rieger (2007, 572, 597–610) now combats it on every front. Not geography but hierarchy was the organizing principle. Yet the quest to find differences in rank and social standing among the rural tribes forces Rieger to engage in tenuous pleading. There are, indeed, ample sources documenting differences in the social perception and legal standing of the urban tribes (notoriously the Suburana and Esquilina were excluded from the Augustan electoral assembly of equestrians and senators), but these evaluations had nothing to do with the official numbering. A fortiori, hierarchy will not be the principle underlying the numbering of the rural tribes. It so fortunately happens that recent epigraphical and archival discoveries fortify Taylor's theory.

Michael Crawford uncovered, in epigraphical collections mostly in Oxford and Paris, seven perforated and inscribed *tesserae,* bearing, on one side, the abbreviated name of a tribe and, on the other, its number, as follows: *Esquilina III*, *Romilia V*, *Oufentina XVI*, *Poblilia XX*, *Clustumina XXIIX*, *Quirina XXIX*, *Velina XXX*.[31] The numbers of the last five tribes are new. The number of Esquilina corresponds to the position of the tribe in Varro's enumeration of the four urban tribes (*L.L.* 5.56; so also Festus 506 L.). However, Varro in another passage (*L.L.* 5.45) adduced Esquilina as *secunda (regio),* and it is this number that Taylor embraced. Badian (1962, 204) very rightly objected; he stands now vindicated, Taylor

[30] See (among the many) J. Poucet, "Les Sabins aux origines de Rome," *ANRW* 1 (1972): 118–20; T. P. Wiseman, *Remembering the Roman People: Essays on Late-Republican Politics and Literature* (Oxford, 2009), 42–44.

[31] Crawford 2002, 1125–35. He published only two *tesserae;* the remaining still await a proper epigraphic edition with full photographical documentation. Rieger (2007, 599–610, 638) is unaware of the discoveries of Crawford and Dionisotti (see below, n. 32). As Crawford observes (1132), because the *tesserae* are perforated, they could hardly have served as ballots or been used for the drawing of lots; perhaps they were tags attached to the voting urns.

corrected. Varro speaks of the route of a ritual procession to the twenty-seven shrines of the Argei; we now see well that the sequence in which the procession moved through the *regiones* (Varro's use of the term *regio* may be significant) bears no relation to the administrative numbering of the urban tribes. From Varro (*L.L.* 5.56), we already knew that Romilia was *quinta tribus*; and the *tessera* makes it also very likely that the order *Romilia Voltinia* in *CIL* VI 10211 indeed follows the official scheme.

Simultaneously with the discovery of the *tesserae,* Carlotta Dionisotti ingeniously realized that an extensive glossary in a manuscript now in Oxford constitutes an *expositio* of Tironian notes. In this text, she found a passage pertaining to Roman tribes, probably originally a complete list arranged according to the official order, but currently displaying only several names, which Crawford (2002, 1126, 1134–35) adduced in the following sequence: Esquilina, Voltinia, Scaptia, Aniensis, Pollia, Velina, Stellatina, Tromentina, Arnensis.[32] It captures attention that Aniensis precedes Arnensis: this lays to rest doubts expressed by Badian (1962, 204) and Rieger (2007, 598–99) as to the reliability of Cicero's text (*Leg. agr.* 2.79) *a Suburana usque ad Arniensem,* where they claim the correct reading may have been *Aniensem. Arn(i)ensem* is sound. If Romilia opens and Arnensis closes the row of rural tribes and if the other districts lie between those two tribes in the order indicated by the *tesserae* and the *expositio,* the sequence is clearly counterclockwise, as postulated by Taylor. This is also the conclusion of Crawford.[33] The problem remains of fitting the particular tribes into exact locations, and here divergences of opinion will persist. The origin and purpose of this sequence is obscure. The system of numbering must, in any case, postdate the creation of the last two tribes in 241, when the total number reached thirty-five. If any previous numbering scheme existed, it

[32] The manuscript is as yet unpublished. Cf. C. Dionisotti, "On the Nature and Transmission of Latin Glossaries," in *Les manuscrits des lexiques et glossaires de l'Antiquité tardive à la fin du Moyen Age, ed. J. Hamesse* (Louvain-la-Neuve, 1996), 205–52, at 228–36. Professor Dionisotti has been very kind to provide (*per litteras*) further elucidation, particularly the text concerning the tribes as it appears in the manuscript: "Succurana, Escilina, Ultima, Escaptia, Anniensis, Pella, Velina, Stellatina, Tremontana, Armiensis, quinque et triginta tribus: nomina sunt curiarum urbis Romae." The indication *quinque et trigina* seems to suggest that an original list indeed enumerated all the names. Several names are moderately mangled (as was to be expected), but Succurana is Suburana (oddly omitted by Crawford); Ultima will be Voltinia, and Pella will be Pollia. The confusion of *tribus* and *curiae* is not unusual (Dionisotti cites Festus 47.14 L. and, particularly interesting, Aug. *in Psalm.* 121.7). Cf. Smith 2006, 190–91, 225–34.

[33] Crawford 2002, 1128. It will be useful to adduce in full his assessment: "Il vaut la peine de souligner aussi que l'ordre que nous offrons améliore, sans le bouleverser, l'ordre établi par Lily Ross Taylor et ne fait que développer la méthodologie qu'elle a adoptée, basée essentiellement sur l'identification des cas sûrs de localisation de tribus et sur la constatation de leur rangement en sens inverse de la course du soleil."

must have been changed, for Clustumina, one of the old seventeen tribes, bears the number 28, and the two tribes established in 241, Quirina and Velina, received the numbers 29 and 30. Crawford suggests that the order is connected with the performance of *dilectus* and that the tribes were grouped in clusters along the principal roads leading from Rome, to facilitate the levy.[34] This may well be so, but it still does not explain why the count of the rural tribes began with Romilia. Taylor may be right that the primacy of Romilia was grounded in ritual, the procession of Ambarvalia around the old *ager Romanus,* the starting point of which may have been the grove of the Arval Brethren located in the territory of Romilia.[35]

To conclude, we may confront Taylor's final order of thirty-five rural tribes[36] with the new evidence. As far as the seventeen original districts are concerned, only four tribes are mentioned (Romilia, Voltinia, Pollia, Clustumina), and Taylor is not contradicted as to their counterclockwise sequence; but when we look at all districts, she stands corrected with respect to six tribes concerning either the number or the relative place in the sequence: Oufentina sports the number 16 (not 13); Poblilia, 20 (not 19); Clustumina, 28 (not 29); Quirina, 29 (not 26); and Velina, 30 (not 25). Furthermore, the order of Quirina and Velina is reversed, and Pollia precedes (rather than follows) both Quirina and Velina. This case offers sobering proof of how difficult it is for even the sharpest modern minds to pry open the administrative mind of the Romans. But it also demonstrates the soundness of Taylor's reasoning (with scarcer information) and the prescience of her intuition.

Chapter 7 (pp. 79–100). This chapter traces the extension and division of the rural tribes from 241 to the Social War. We should place the stress here

[34] Crawford's scheme (2002, 1134–35) is as follows: *via Ostiensis:* Romilia, Voltinia, Voturia; *via Appia:* Aemilia, Horatia, Maecia, Scaptia, Pomptina, Falerna; *via Latina:* Lemonia, Papiria, Oufentina, Teretina; *via Praenestina:* Pupinia, Menenia, Poblilia; *via Valeria:* Cornelia, Claudia, Camilia, Aniensis; *via Salaria:* Fabia, Pollia, Sergia, Clustumina, Quirina, Velina; *via Flaminia:* Stellatina, Tromentina; *via Clodia:* Galeria, Sabatina, Arnensis. For a further elaboration, see his "Community, Tribe, and Army after the Social War," in *Tribù* 2010, 97–101.

[35] This idea has recently been revived by F. Coarelli in the fascinating (though also far-fetched) disquisition "Remoria," in *Myth, History, and Culture in Republican Rome: Studies in Honour of T. P. Wiseman,* ed. D. Braund and C. Gill (Exeter, 2003), 46–55. But we must also consider the long procession of doubts assembled by A. Ziółkowski in "Frontier Sanctuaries of the *Ager Romanus Antiquus:* Did They Exist?," *Palamedes* 4 (2009): 91–130: *ambarvalia* is just a figment (as is much else).

[36] P. 74 (the order and queries are Taylor's, but I added the numbers): 5. Romilia, 6. Voltinia, 7. Voturia, 8. Aemilia??, 9. Horatia, 10. Maecia, 11. Scaptia, 12. Pomptina, 13. Oufentina, 14. Papiria, 15. Teretina, 16. Falerna, 17. Lemonia, 18. Pupinia, 19. Poblilia, 20. Menenia, 21. Aniensis, 22. Camilia, 23. Claudia, 24. Cornelia?, 25. Velina, 26. Quirina, 27. Sergia, 28. Pollia, 29. Clustumina, 30. Stellatina, 31. Fabia, 32. Tromentina, 33. Sabatina, 34. Galeria, 35. Arnensis.

on "division." After 241, no new tribes were created, and the territories incorporated into the *ager Romanus* had to be assigned to one of the existing rural tribes. The simplest method was to extend the territory of a tribe to a neighboring area; however, as this was frequently not possible, most tribes acquired separated chunks of land. This ultimately led to a bewildering mosaic of the tribal *membra disiecta* and to a great inequality in the size of the individual tribes. Taylor's list (95–98) is eloquent: twenty tribes were now divided. She admits that there are uncertainties; and several additions and corrections can now be made (see below, on chap. 11, for revisions to the list of communities with tribes).

Chapter 8 (pp. 101–17). This chapter covers the momentous years in the history of the republic and the tribal organization: the Social War and the enfranchisement of the Italians. The war and the awards of citizenship received much attention in the last fifty years, but the actual gain in our knowledge is picayune—not because of the lack of ingenuity on the part of the scholars, but because no new significant sources have accrued and because the sources we have are exceedingly shadowy.[37] Taylor's proper topic was the distribution of the new citizens in rural tribes. Taylor (who did not like to engage in endless speculation) presented even this topic in a rather parsimonious way, and this is certainly not the place for a new lengthy disquisition. Thus I here offer only a few topical and bibliographical remarks.

Several issues burning at the time and thorny for scholars stand out: the scope of the *lex Iulia;* the *lex Plautia Papiria;* the census of 89 and the legislation of the tribune P. Sulpicius Rufus; Sulla's revocation of the *lex Sulpicia;* the repeal of Sulla's legislation under the dominance of Marius and Cinna, as well as the presumed reinstatement of the Sulpician law; the census of 86 and its scope; the paternity of the *lex Cornelia;* the procedure of the assignment of tribes to the newly organized municipalities and to the former Latin colonies; and, finally (in chap. 9), the status of the new citizens under the dictatorship of Sulla. A crop of recent studies will provide a comfortable review of the pertinent scholarship.[38] The best place to confront and update Taylor's interpretation (after Badian 1962, 206) is Bispham's section on the new citizens and the tribes (2007, 189–99). First of all, he closely connects the process of enfranchisement with the process

[37] On the terminological and conceptual pitfalls in our sources, see Bispham 2007, 13–39 (esp. 31), on the ancient and modern controversies and distortions of the terms *municeps* and *municipium,* so intimately connected with the communities of the new citizens. Cf. Humbert 1978, 3–43; Laffi 2001, 137–42; Laffi 2007, 233–44, esp. 240–44.

[38] We have to start with the celebrated account of E. Badian, "From the Gracchi to Sulla," *Historia* 11 (1962): 197–245. Ample bibliography, a thorough discussion, and conflicting interpretations are offered in Harris 1971, 230–50; Sherwin-White 1973, 134–73; G. Luraschi, "Sulle *leges de civitate,*" *SDHI* 44 (1978): 321–70; Mouritsen 1998, 87–171; Coşkun 2004; Bispham 2007, esp. 161–204; Santangelo 2007, 67–77, 147–82.

of municipalization, a subject of overriding importance for the ensuing shape of Italy but only briefly broached by Taylor (e.g., she offers no comments on the terms *fundum fieri* and *municipia fundana*).

Chapter 9 (pp. 118–31). In the period from Sulla to Caesar, the issue of tribal registration continued to be present in Roman politics but was no longer inscribed in blood. Upon his landing in Italy in 83, Sulla indicated that he changed his mind and would not oppose the registration of the new citizens in all rural tribes. Should this mean, as Taylor inclines to think, that the situation envisaged by the *lex Sulpicia* of 88 was simply restored in some way (the precise legal steps elude us)? As she puts it, "Men whose domus was established in the new citizen communities could presumably vote in the tribes, but not in the classes, without a census assignment" (119). We should prudently put stress here on "presumably," and as to the voting in the classes, Taylor cautiously admits the possibility of Sulla functioning as a censor. Sulla's *lectio senatus* is on full view, but there is no proof that he held the office of censor or even that he exercised separate censorial powers as distinct from his office of *dictator rei publicae constituendae*.[39] Thus it would appear that many newly enfranchised Italians were, in practice, barred from voting, at least in the centuriate assembly. This is amply born out by the fact that the number of registered citizens almost doubled when the next census was performed in 70. But this was to be the last successful census under the republican dispensation; all subsequent censors were prevented from performing the concluding ritual of *lustrum condere,* and thus, on the face of it, all the lists of the citizens they had compiled should have been invalid. Taylor very reasonably wonders how the new voters were added to the lists after 69. She suggests that people registered in a municipality could vote in the tribal assembly without any censorial intervention; and in the centuriate assembly, in which the citizens were assigned to one of the five classes according to the estimation of their wealth, the sons would automatically retain the position of their fathers (120–21). Whether the validity of the census depended entirely on the *lustrum* is a matter of dispute, but it is unlikely that the political organization of the Roman society remained frozen in public law for the next generation. Perhaps it is possible to find a solution that would respect both the Roman reverence for archaic rituals and the Roman gift of practicality.[40]

Taylor devoted the bulk of this chapter to the tribes of the Transpadani; the communities in this region acquired Latin rights under the law

[39] Cf. M. Hurlet, *La dictature de Sylla: Monarchie ou magistrature rèpublicaine?* (Brussels, 1993), 105–6; Santangelo 2007, 204.

[40] In addition to works adduced in n. 38, see G. Pieri, *L'histoire du cens jusqu'à la fin de la république romaine* (Paris, 1968), esp. 77–97, 131–72; T. P. Wiseman, "The Census in the First Century B.C.," *JRS* 59 (1969): 59–75; Lo Cascio 2001, 588–602, esp. 598–601. One has to agree with Lo Cascio's assessment: "Il problema é certamente spinoso" (598).

of Pompeius Strabo in 89[41] (they were legally organized as "Latin colonies" but received no new settlers, hence the description "fictitious colonies") and the full Roman citizenship in 49.[42] The magistrates of Latin colonies automatically ascended to Roman citizenship,[43] and Taylor supposed that their tribal ascription was fixed at the establishment of the colony. Her prime example is an inscription on a cinerary urn from Ateste (*CIL* I² 2780): *L. Rutilius Ti. f. Pullio tribu Romilia.* The editor of the ossuaries dated the cemetery from the third century to the beginning of the first, and Taylor cautiously concludes that "it is not unlikely that the record of the Romilia tribe is to be placed before 49" (127–28). We know that in the later republic and under the empire, the tribe of Ateste was precisely Romilia, and thus it would appear that the Transpadani who enjoyed Latin rights had their Roman tribes established before 49, when they all formally became Roman citizens. This is not impossible, but there are other explanations. It has been proposed that Ateste received the citizenship much earlier, in 90/89, which would explain very well the mention of the tribe. Yet this proposition has, in turn, been vigorously contested.[44] Finally, historians should not place excessive trust in the datings floated by archaeologists: at the very best, they are only approximations. Indeed, in the reedition of the inscription in the *Supplementa Italica,* M. S. Bassignano assumes (though on the basis of somewhat circular reasoning) that the cemetery was still in use in the second half of the first century, which would again explain well the appearance of the tribe (*Suppl. It.* 15 [1997]: 289–90, no. 170). This very particular controversy illustrates the broader truth that almost every contention in this field is shrouded in uncertainty and embroiled in polemic. In the meantime, the question raised by Taylor awaits a cogent answer.

Chapter 10 (pp. 132–49). The abiding feature of Roman society was the existence of a large class of freedmen and of their sons. Upon manumission, a former slave was transformed in an instant not only into a free person

[41] On the various problems, administrative and chronological, connected with the *lex Pompeia,* see G. Luraschi, *Foedus Ius Latii Civitas: Aspetti costituzionali della romanizzazione in Transpadana* (Padua, 1979), 139–220; Bispham 2007, 173–74 (with further literature).

[42] It is certain that the law was passed, as Taylor puts it, "under Caesar's influence" (124), but it is very unlikely that it was "probably the *lex Roscia*" (126). On the controversy surrounding the *lex Roscia* (and *Rubria*) and the *lex de Gallia Cisalpina,* see *RS* 1996, 1: 313–24 (esp. 314–18), 460–77; Laffi 2001, 237–324; Laffi 2007, 189–90.

[43] Cf. Mouritsen 1998, 99–108; D. Kremer, *Ius Latinum: Le concept de droit latin sous la république et l'empire* (Paris, 2006), 113–25

[44] M. H. Crawford, "Ateste and Rome," *NAC* 18 (1989): 191–200, at 191–93; U. Laffi, "Di nuovo sulla datazione del *fragmentum Atestinum,*" *Athenaeum* 78 (1990): 167–75; M. S. Bassignano, *Suppl. It.* 15 (1997): 29–30. The polemic continued with great and abstruse erudition (the pivotal point is the *actio de dolo* and the local jurisdiction) in the publications adduced in nn. 41 and 42.

but also into a citizen, a legal peculiarity and social generosity, unusual in the ancient world, which the Romans were to share after two thousand years with another great republic. As a citizen, a freedman had to be put on the roll of a tribe, and thus he would also acquire the right to vote in popular (at least, tribal) assemblies (interestingly, in this respect, he would ascend to a higher political level than those freeborn foreigners who were granted the citizenship *sine suffragio*). Politicians who could control the freedman vote would gain substantial influence. The registration of freedmen became a burning partisan issue; throughout most of the republic, they were confined, irrespective of their actual place of residence, to the four urban tribes, with their votes thus being of little value. Attempts to distribute them throughout the rural tribes, if successful, were short lived. Opponents commonly branded such efforts as subversive plots threatening the very fabric of the state. Taylor presents, with acumen and economy of argument, an engrossing account of this strife from the censorship of Appius Claudius Caecus in 312 to the tribunate of Publius Clodius in 58 (to be read, side by side, with Badian 1962, 206–8). On the social standing of freedmen, the monographs by Treggiari and Mouritsen fill much of the background that Taylor decided not to include.[45] Treggiari's chapter on freedmen in public law (37–68) must be a mandatory reading, as it offers a remarkably lucid discussion of all texts and events analyzed by Taylor, occasionally in sharp opposition to the illustrious predecessor.

Appius Claudius attempted, as censor, to enroll freedmen's sons into the senate, and he also registered freedmen themselves in rural tribes, probably violating (Taylor stresses) only custom and not any explicit law. We now have a sprawling monograph discussing, in exquisite detail, every aspect of Claudius's career.[46] Nicely complementing Taylor's mere four pages are Humm's chapter (2005, 229–66) on the reform of 312 and its fate, and Oakley's learned commentary (2005, 3:352–84, 628–41, 669–77)

[45] S. Treggiari, *Roman Freedmen during the Late Republic* (Oxford, 1969); H. Mouritsen, *The Freedman in the Roman World* (Cambridge, 2011), with recent bibliography, but, especially philologically, by far not on the level of Treggiari. Cf. also A. Watson, *The Law of Persons in the Later Roman Republic* (Oxford, 1967), 226–36, a crisp overview of civil legal arrangements (Watson does not discuss the role of freedmen in public life); C. Masi Doria, *Civitas Operae Obsequium: Tre studi sulla condizione giuridica dei liberti* (Naples, 1993), esp. 1–45.

[46] M. Humm, *Appius Claudius Caecus: La république accomplie* (Rome, 2005). See now J. H. Richardson, "Ap. Claudius Caecus and the Corruption of the Roman Voting Assemblies: A New Interpretation of Livy 9.46.11," *Hermes* 139 (2011): 454–63. Richardson argues that the *humiles* Appius distributed per *omnes tribus* "may not originally have been in tribes . . . and were not originally in centuries" (456) and thus were not citizens or, at best, were citizens without voting rights. But it seems doubtful that censors could grant the voting rights on their own, without any enabling legislation. It is still most economical to assume that before Appius Claudius, the landless *humiles* had been limited to the urban tribes.

on Claudius's censorship and the crucial passages in Livy (9.46.10–14). But in the penury and obscurity of our sources, definite elucidation is hardly in reach. In particular, we are still debating what is the precise meaning of *humilibus* in Livy and whether to read *nec in curia adeptus erat quas petierat opes urbanas, humilibus per omnes tribus divisis forum et campum corrupit* or accept J. F. Gronovius's (1611–71) punctuation and emendation: *petierat opes, urbanis humilibus.* This is not a trifling matter: either Appius Claudius enrolled in the rural tribes only those freedmen who resided in the countryside, or he was engaged in a massive transfer to rural tribes of lowly city dwellers. Taylor (135) and Oakley (2005, 3:631–32) defend the paradosis; Badian and Treggiari (40–41) embrace the emendation. The stalemate endures.[47]

Whatever was the scope of Appius Claudius's reform, it was cancelled during the censorship of 304. The issue would flair up intermittently in the course of the next two centuries, but the sources are so fragmentary or of such difficult textual and linguistic interpretation that one must subscribe to Badian's observation (1962, 207) that we often "lack the minimum of fact for fruitful speculation."

The progress in our factual knowledge is due, as so often, to epigraphy. Taylor's data on "evidence for registration in the urban tribes under republic and empire" (147–49)[48] has now been substantially enlarged and perfected.[49] The social inferiority of the Esquilina and Succusana is amply confirmed. Esquilina is still unknown outside of Rome; and five out of the only ten stones found in the city record performers or their family. Other men inscribed in the tribe were also members of lower classes. This statistical imbalance (one text has since accrued) attracted the attention of Mommsen. In his note to *CIL* VI 10097, he suggested that the censors tended to place actors, mildly *infames,* in the Esquilina (there is no reference in Taylor). But V. Gorla rightly observes (*Tribù* 2010, 343) that this was not an absolute rule, as there are examples of actors on the rosters of

[47] Also in the past, the scholars were almost equally divided into those two camps; cf. the list in Humm 2005, 237.

[48] The readers of these pages must have, however, frequent recourse to her earlier and fuller treatment in the paper on the urban tribes (listed on p. 329).

[49] N. Ferraro and V. Gorla, "Le tribù urbane: Verifica della loro composizione sociale sulla base della documentazione epigrafica," in *Tribù* 2010, 341–47. Cf. also J.-P. Guilhembet and M. Royo, "L'aristocratie en ses quartiers (IIe s. avant J.C.-IIe s. après J.-C.)", in *"Rome des quartiers": Des* vici *aux rioni,* ed. M. Royo, É. Hubert, and A. Bérenger (Paris, 2008), 193–227. A most interesting, and somewhat neglected aspect of tribal organization concerns internal subdivisions within the tribes. All our evidence is epigraphical, and as all documents date from the imperial period, Taylor offered no discussion. See now M. L. Caldelli and G. L. Gregori, "Sulle ripartizioni interne alle tribù urbane e rustiche," in *Tribù* 2010, 133–47, with a corpus of twenty-five inscriptions, nineteen referring to the urban tribes (Collina is not represented), six to the rural (two to Claudia, four to Pollia).

rural tribes. Succusana is better represented, but also sparsely. Outside of Rome, Taylor knew of only two attestations of the tribe; now there are five. In Rome itself, the number grew apparently from eleven to twelve, but one of these inscriptions contains an (incomplete) album of the tribules: there are 727 names, all but one of which appear to refer to freedmen. Other inscriptions, too, display solely people, as Taylor put it, "of low estate," and the Italian scholars concur that these were people "di basso rango."

Chapter 11 (pp. 159–64). Taylor's list of Italian communities with their tribes is arranged geographically according to the eleven Augustan regions of Italy, and within some regions, there are further subdivisions according to ethnic territories. This arrangement (also employed by Kubitschek) is, Taylor admits, anachronistic but convenient. It may also be confusing: it is well to remember that for the republican period, we must always keep before our eyes the contours of ethnic areas.

For her entries, Taylor did not provide documentation, relying on Kubitschek's collection of 1889 (see her bibliography) and her own sifting of inscriptions published after that date. In the following five decades, ample new material has accrued; and numerous studies pertaining to single cities and whole regions of Italy have substantially increased our knowledge of *Italia tributim discripta.* But still there was no new Kubitschek.

Now we have a new tool and fount of information: the book *Le Tribù Romane* (*Tribù* 2010), assiduously edited by Marina Silvestrini and containing the proceedings of a conference devoted, inter alia, to the updating of the territorial distribution of Roman tribes in Italy. This painstaking labor of mostly Italian epigraphers effectively replaces the lists of Kubitschek and Taylor; all readers of Taylor will have to consult it for the developments between 1960 and 2010. Yet one perusing this vast collection (523 pages) realizes even better how groundbreaking was the achievement of Kubitschek and how exact and reliable were the tribal assignments by Taylor. Inevitably, there are additions, changes, and corrections. The volume makes it relatively easy to trace them, as the individual contributions (but unfortunately not the whole volume) contain synoptic tables giving the attribution of tribes to cities in *CIL*, Kubitschek, and Taylor and comparing them with the "Situazione attuale."[50]

Unfortunately, it is not yet a completely new Kubitschek. In his book, now readily available electronically, a typical entry contains full quotations of all relevant source material. Entries include not only a full onomastic style of a person, but also, if recorded in a text, the person's status

[50] Another important tool for the study of *tribus* in Italy is the volumes of the new series of *Supplementa Italica.* Individual entries deal with single communities and contain instructive historical, topographical, and archaeological introductions, always offering a discussion of the tribal arrangements. Cf. Linderski 1995–2007, 1:407–14, 2:369–457.

(e.g., freedman, equestrian), offices, and functions (it would also be useful to know who set up the inscription, which is only occasionally indicated by Kubitschek). This altogether laudable practice is not always consistently adopted in *Le Tribù*. Contrary to Badian's dismissive intimation (1962, 200), Kubitschek's monograph is not solely "an antiquarian hobby," a pile of inchoate data waiting to be ushered into history. Indeed, Taylor's book is all history, something that Kubitschek's book is not and that he did not intend it to be. But he devised something immensely important, a method of research. He presented this method in his dissertation on the origin and spread of Roman tribes and employed it consistently in his gazetteer (1883, 89–91; cf. 1889, III). Taylor adopted Kubitschek's method but, surprisingly, has never explained it for her readers—a nagging omission (as Kubitschek's monographs are now available online, I would recommend that readers of Taylor consult his pages). It is crucial to realize that we have no epigraphical texts that would say, *expressis verbis,* that any specific locality "belonged" or "was ascribed" to a particular tribe, for it was the people, not communities, who were technically inscribed in a tribe. The phrases we use and the statistics we compile are easy shortcuts concealing inferences ranging from (near) certainty to various degrees of probability. Taylor, of course, was well aware of the legal situation, and her readers are warned. Indeed, she wrote, "It is incorrect to speak, as, following modern precedents, I shall speak, of the tribe of Tusculum, instead of the tribe of the Tusculani" (10). As the present writer is guilty of having employed in the past (and the present) the same comfortable but also comforting locutions, I feel obliged to point to the admonition of Forni (*Scripta* 2006, 363): juridically, the only correct way to write is that "i cittadini romani di un municipio, di una colonia, di una comunità, di una popolazione fossero o dovessero essere iscritti in maggior parte in una tribù determinata."[51]

It will be convenient for the users of Taylor's book to have, at a glance, a synopsis of changes the contributors to *Le Tribù* make to her list. The list below follows Taylor's arrangement but enumerates all cities in each Augustan region alphabetically, largely disregarding further ethnic and territorial subdivisions. For each entry, it provides Taylor's original assignation and, separated by a dash, the new assessment proposed in *Le Tribù* (with pages indicated in parentheses); also included, if needed, are further explanations and comments. The proposed changes often express merely increased or decreased probability of an assignation, visualized by queries (or double queries), added or removed. Cities new to Taylor's list or book are marked with a + (in passing in the body of her book, Taylor occasionally presents surmises concerning tribal ascriptions, but they often do not

[51] This admonition is forcefully reiterated by M. Buonocore in "La tribù predominante fra i cittadini di *Trebula Mutuesca*" (*Epigraphica* 65 [2005]: 47–61, at 47) and is applied in an exemplary manner in his article and in his contribution to *Tribù* 2010 (29–42).

appear on her list; in such cases, I provide parenthetical references to the appropriate pages).

I. Latium et Campania

Latium. Afilae, *Aniensis?—Aniensis* (151, 155). **Aletrium,** *Poblilia—Aniensis?* (171, 176). This assignation is possible but not entirely settled. *CIL* X 5832 records a local magistrate inscribed in the Poblilia; it is true that the stone was found in the territory of Ferentinum belonging to Poblilia, but this need not nullify the possibility of Poblilia as the tribe of Aletrium. **Bovillae,** *Pomptina?*—no assignation (152, 155). **+ Cereatae Marianae,**—*Cornelia* (173, 175). **Fidenae,** *Claudia?* (37 n. 7, 271)—*Claudia* or *Cornelia* (152, 155). **Frusino,** *Oufentina—Aniensis?* (71, 174, 176). **Gabii,** *Aemilia??* (44)—*Aemilia?* (152, 155). **Labici,** *Papiria??* (41 n.21, 43, 79)—no assignation (152, 155). **Nomentum** (placed by Taylor in Regio IV, but it probably belonged to Regio I), *Cornelia?—Cornelia* (153, 155). Taylor's tribal proposition finds confirmation, so it is alleged, in a Greek inscription from Hierapolis Castabala in Cilicia (*IGR* 3.905) recording a N. Lusius N. f. Cor. Nomentanus. In support of Taylor, this inscription was first adduced by R. Syme (1964, 105). He should have heeded his own warning that such names may be deceptive. As chance would have it, we can counter a Nomentanus in the Cornelia with a Nomentanus in the Quirina (*CIL* X 7490). We really do not know the tribe of Nomentum; Cornelia should certainly be queried, though perhaps not expunged. **Pedum,** *Menenia—Pupinia* (157–59). **Setia,** *non liquet* (111 n. 25)—*Pomptina? Poblilia?* (175–76). On the alleged Pomptina, which may well be an epigraphical phantom, see Linderski 2007, 2:397–98. **Signia,** *non liquet* (111 n. 25)—*Aniensis?* (77–78, 175–76). **Velitrae,** *Scaptia—?* (77, 175–76). In view of Suet. *Aug.* 40.2 and Taylor's argument, this skepticism is unwarranted. The tribe of this branch of the Octavii was Scaptia, and Velitrae was their native town. **Verulae,** *Cornelia?—Cornelia* (175–76).

Campania. Atella, *Falerna?—Falerna* (179, 181). **Caiatia,** *Falerna?—Falerna* (179, 181). **Cumae,** *Falerna??* (229)—*Claudia?* (179, 181). Taylor observed, "Like most of the Campania, Cumae may have been in the Falerna." Now, in addition to the attestation of the Palatina, we have inscriptions from Cumae recording three tribules in the Claudia and one each in the Quirina and Voturia. **Forum Popilii,** *Falerna—Falerna?* (179, 181). **Salernum,** *Menenia??* (92 n. 38)—*Falerna?* (180–81). Two members of the Falerna are attested at Salernum. **Teanum Sidicinum,** *Teretina?—Teretina* (180–81). **Volturnum,** *Falerna?—Falerna* (180–81).

II. Apulia et Calabria

+ Aecae,—*Papiria* (185–86, 189). **+ Aquilonia,**—*Galeria?* (185–86, 188). **+ Bantia,**—*Camilia* (185–86, 188). **+ Callipolis/Anxa,**—*Fabia* (185–86, 188).

+"Frigento" (modern name; ancient name unknown),—*Galeria* (185, 187–88). **+ Gnathia/Egnatia,**—*Romilia?* (185, 187, 189). **Herdonia,** *Cornelia?*—Papiria (185, 187, 189). **Ligures Corneliani,** *Velina—Velina?* (185, 187, 190). **+ Rubi,**—*Claudia* (186–88). **+ Sipontum,**—*Galeria?* (186–88). **Teanum Apulum,** *Cornelia?—Cornelia* (186–88). **+ Veretum,**—*Fabia* (186–88).

III. Lucania et Bruttii

+ Blanda Iulia,—*Pomptina* (193–96). **+ Cosilinum,**—*Pomptina* (193–96). **+ Heraclea,**—*Menenia?* (193–95, 197, 201–6). **+ Numistro,** —*Pomptina* (193–95, 197). **+ Velia,**—*Romilia* (193–95, 198–99).

IV. Sabina et Samnium

Aesernia, *Tromentina—Tromentina* and *Teretina* (33, 207). + **Aufinum,**—*Quirina* (35, 40, 207). **+ Buca,**—*Voltinia* (35, 40, 207). **+ Cluviae,**—*Arnensis* (35, 40, 207). **Cures Sabini,** *Sergia—Quirina* and *Sergia* (36, 40, 207). **+ Ficulanus vicus,**—*Quirina* 36, 40, 207). **+ Furfo,**—*Quirina* (36, 40, 207). **+ Interpromium vicus,**—*Sergia* (36, 40, 207). **+ Lavernae vicus,**—*Sergia* (36, 40, 207). **+ Lucus,**—*Sergia* (36, 40, 207). **+ Supinum vicus,**—*Sergia* (38, 40, 207). **Trebula Mutuesca,** *Sergia—Sergia* and *Quirina* (39–40, 207).

V. Picenum

+ Cupra Montana,—*Velina* (210, 213).

VI. Umbria

Pitinum Pisaurense, *Oufentina—Oufentina?* (212–13). **+ Sena Gallica,**—*Pollia* (212–13). **Tadinum,** *Clustumina??*—no assignation (219, 221). **Trebiae,** *Aemilia?*—no assignation (219–21).

VII. Etruria

+ Alsium,—*Voltinia* (225, 349–54). **Caere,** *Voturia?—Voltinia* (225–26). **Castrum Novum,** *Voltinia?—Voltinia* (226). **+ Cosa,**—*Sabatina?* (226). **Forum Clodii,** *Arnensis?—Voltinia* (227). **+ Fregenae,**—*Voltinia* (227–28). **+ Heba,**—*Sabatina* (228). **+ Pagus Stellatinus,**—*Stellatina* (229). **+ Polimartiensis Ager,**—*Arnensis* (229). **+ Populonium,**—*Galeria* (229). **+ Pyrgi,**—*Voltinia* (229). **+ Rusellae,**—*Arnensis* (229–30).

VIII. Aemilia

+ Fidentia,—*Pollia?* (235, 238). The assignation is based on *CIL* XI 1138, a tenuous thread. **+ Forum Novum,**—*Galeria?* (235, 238). The assignation is

based on *CIL* XI 1132; that stone may, however, belong to the territory of Veleia. **+ Forum Popilii,**—*Stellatina* (235, 238). **+ Tannetum,**—*Pollia* (238).

IX. Ligures

The article in *Tribù* 2010 (241–46) offers a summary of truly impressive achievements in tracing more exact borders between various towns of the region, which resulted in the reassignment of numerous inscriptions mentioning tribes but did not lead to any changes in tribal ascriptions of individual cities. The article does not provide a table of comparison with the entries in Taylor, so I offer slightly more extensive annotations below.

+ Augusta Bagiennorum,—*Camilia.* It is not clear why Taylor omitted Augusta from her list. The tribe figures in numerous inscriptions from the city, and Kubitschek (1889, 100–101) confidently ascribed Augusta to Camilia; see now also E. Bernardini, *Suppl. It.* 19 (2002): 196. **+ Pedona,**—*Quirina* (243). The city is to be moved to Liguria from Alpes Maritimae (where it is listed, under the name *Pedo,* in Kubitschek 1889, 123). For the tribe, see E. Culasso Gastaldi, *Suppl. It.* 13 (1996): 302. **+ Vada Sabatia,**—*Camilia* (243 n. 7). **+ Vallis Tanari Superior,**—*Publilia.* For the ascription of the inhabitants of this region to the Publilia (the tribe of Albingaunum), see G. Cresci Marrone, *Suppl. It.* 6 (1990): 87.

X. Venetia et Histria

+ Emona,—*Claudia* (249). **+ Iulia Concordia,**—*Claudia* (255–57). **+ Iulium Carnicum,**—*Claudia* (249). So, already, suggested Kubitschek (1889, 111–12); Taylor omitted it without comment, but Claudia is now generally accepted. **+ Parentium,**—*Lemonia* (249). So, already, suggested Kubitschek (1889, 113); there is no comment in Taylor. **+ Pola,**—*Velina* (249). **+ Tergeste,**—*Pupinia* (249). Again, so suggested Kubitschek (1899, 114–15); it is omitted by Taylor for no obvious reasons.

XI. Transpadana

+ Augusta Praetoria,—*Sergia* (296–97). **+ Augusta Taurinorum,**—*Stellatina* (295). So suggested Kubitschek (1889, 117–18). The tribe is attested in numerous inscriptions, and it is not clear why Taylor left Augusta out. **+ Forum Vibii Caburrum,**—*Stellatina* (294). This is attested by several inscriptions. See, already, Kubitschek 1889, 119–20; and now see F. Filippi, *Suppl. It.* 16 (1998): 375. It is rather inexplicably omitted by Taylor.

Chapter 12 (pp. 167–83). Taylor distinguished five categories of sources for the tribes of senators.

I. Names of Witnesses in *Senatus Consulta* (167–69)

In one respect, this is unequivocal: all men enumerated were senators. Taylor's dossier of the *senatus consulta* is arranged chronologically, but many dates are approximate, uncertain, or disputed. It includes twenty decrees, arranged under seventeen headings (three documents contain texts of separate decrees but pertaining to the same matter); thirteen (twelve Greek and one bilingual Greek and Latin) are recorded epigraphically, and five (two in Cicero and three in Josephus) are transmitted by literary sources. Together, they yielded some fifty-six names equipped with tribes. There have been several major studies devoted to these documents; see, above all, R. Sherk's 1969 edition of all Greek epigraphical *senatus consulta* and *epistulae,* with commentary and full bibliography (see also Sherk 1984, for English translations and further bibliography). For Cicero's letters, we now have the magisterial edition and commentary by D. R. Shackleton Bailey (1977); for Josephus, we have the very useful 1998 monograph by M. Pucci Ben Zeev. One new entry has accrued, and one entry has been very substantially enlarged by new fragments. The notes below provide references to new editions and commentaries and, if needed, brief reviews of chronology and other disputed issues. New entries are marked with a +. Uncertain, disputed, or approximate dates are given in parentheses.

Senatus Consulta (the denominations are all due to modern scholars):

170, *de Thisbaeis.* Sherk 1969, 26–31, no. 2; 1984, 20–22, no. 21.

(ca. 164), *de Delo.* Sherk 1969, 37–39, no. 5; 1984, 27–28, no. 28.

(175–160), *de Ambraciotibus et Athamanibus.* Sherk 1969, 34–36, no. 4. The decree is embedded in a letter sent to Corcyra by the praetor P. Cornelius P. f. Blasio. The date of his praetorship is unknown; after an involved argument, M. Holleaux (*BCH* 48 [1924]: 388–98 = *Études d'épigraphie et d'histoire grecques,* vol. 5.2 [Paris, 1957], 438–47) established 187 as the first *terminus a quo.* Next, as Blasio introduced to the senate the envoys from Ambracia and Athamania and sent an official communication to Corcyra, he must have administered either the urban or the peregrine praetorship, though almost certainly the former (see Brennan 2000, 1:98–119, esp. 118); we know from Livy (almost) all holders of these offices for the years 187–166, and Blasio is not among them (see *MRR* 2 under each year). The only two years potentially open are 175 and 174; otherwise, 166 is the *terminus post quem.* After further considerations, Holleaux identified Blasio with P. Cornelius Blasio, attested as an envoy in 170 (*MRR* 2.421) and as a member of a special senatorial committee (in the aedilician or quaestorian position) in 168 (*MRR* 2.431); Holleaux consequently opted for a date of his praetorship between 165 and 160. It is now evident that the indication 175–60 adopted by Taylor and Sherk (and, in their wake, also by other scholars) is utterly misleading: Holleaux was placing Blasio's praetorship not generally within this time span but precisely either in 175 or 174 or after 166, with 160 forming a soft *terminus ad quem.* Sherk himself, in an annotation to another decree (1969, 39), tentatively put his praetorship

in 165, and Broughton puts it in ca. 165 (*MRR* 2.431, 438). H. C. Mattingly (*NC* 9 = 129 [1969]: 102–4) has, however, challenged the second part of Holleaux's reconstruction and identified the praetor with P. Blas(io), a monetalis who, on evidence of coin hoards, was active in the late 160s; the date of his praetorship will thus be "in the late 140s." Crawford (1974, 239–40, no. 189) dates Blasio's issues to 169–58 and accepts the identification of the monetalis and the praetor; so, now, does Broughton (tentatively at *MRR* 3.64 and decisively at 84–85) and Brennan (2000, 1:343 n. 31). Mattingly's arguments are not decisive: they largely depend on the coupling of the date of the *S. C. de Ambraciotibus et Athamanibus* with the date of the *S. C. de Magnetum et Prienensium litibus* (Sherk 1969, 44–47, no. 7), which is certainly to be dated to ca. 140. The two documents share arresting lexical and phraseological features, but this need not mean that they must be contemporaneous. What tilts the scales in favor of Mattingly's dating is the discovery near Thessalonica of a milestone set up by the hitherto unknown Cn. Egnatius C. f. *pro co(n)s(ule)*, who thus reveals himself as the builder of the via Egnatia (*AE* 1973, 492 = 1976, 643; *CIL* I² 2977; see *AE* 1992, 1531, for another milestone found near Philippi). His governorship of Macedonia probably falls in the very early years of the province, possibly as early as 145. He may very well be identical with Cn. Egnatius C. f., a witness to the *S. C. de Ambr. et Atham.*, which would again favor a lower dating of the decree, now generally accepted. In view of these finds, Mattingly (*AIIN* 29 [1982] 37–38 = *From Coins to History: Selected Numismatic Studies* [Ann Arbor, 2003], 251–52) refined his chronology: the Blasio recorded by Livy will be the father of the monetalis and praetor; his praetorship "could even be put just after 140." See also F. W. Walbank, *Selected Papers* (Cambridge, 1985), 203 (for an argument originally published in 1983); *MRR* 3.64, 84; Brennan 2000, 1:343 n. 31. Note, however, that Sherk (1984, 131, no. 36), while endorsing the identification of the proconsul (whom he dates to 146–43) and the witness, still persists in upholding Holleaux's dating of the decree. But ca. 160 is at the very outer limits of chronological feasibility, still diminished by the position of Cn. Egnatius as no. 1 on the witness list. The lower dating is plausible also on the other count, as already observed by Taylor herself: in the decrees of 170 and ca. 164 (see above), only two out of eight names were provided with the tribal affiliation, but in the decree *de Ambr. et Atham.,* two names appear with tribes; the stone breaks off after the name and filiation of the third witness, but it is very likely that his tribe was also recorded. It would thus appear that the custom of providing all witnesses to the senatorial decrees with tribes came into vogue around 160.

(161), *de Magnetum et Prienensium litibus.* Sherk 1969, 44–47, no. 7; 1984, 33–34, no. 34. Sherk's date is "ca. the middle of the second century" or (in 1984) "c. 150 or earlier," but this is unduly vague: the praetor M. Aemilius M. f. who convened the senate must have been either M. Aemilius Lepidus, consul in 158 and praetor in 161 at the latest, or M. Aemilius Porcina, con-

sul in 137 and praetor in 140 at the latest. The available dates are thus the span of a few years before and including 161 or before and including 140. Broughton, (*MRR* 3.9) and Brennan (2000, 1:118) now lean to the latter option.

(ca. 140), *de Narthaciensibus et Melitaeensibus.* Sherk 1969, 49–51, no. 9; 1984, 37–38, no. 38. More exactly, the date is 140 or earlier: the presiding praetor was C. Hostilius Mancinus, who was consul in 137; thus 140 is the last available year for his praetorship.

135, *de Prienensibus.* Sherk 1969, 54–58, no. 10 B. The edition and commentary by E. Famerie ("Une nouvelle édition de deux sénatus-consultes addressés à Priène (RDGE 10)," *Chiron* [2007]: 89–111) is almost exclusively concerned with the decree 10 A and does not bring any significant changes to 10 B.

(ca. 134), *de Iudaeis.* Josephus (*Ant. Iud.* 14.144–48) includes this document among the *acta* of Caesar, but on the strength of its similarity to 1 Macc. 15.15–24, it clearly belongs to the second century. The precise date continues to be disputed: see F. Canali De Rossi, *Le ambascerie del mondo greco a Roma in età repubblicana* (Rome, 1997), 551–54, no. 600. His date is ca. 140. Pucci Ben Zeev 1998 discusses solely documents pertaining to "Jewish rights" under the Roman domination and thus does not include items predating the later republic (cf. 22–24). C. Eilers (*ZPE* 166 [2008]: 211–17) acquits Josephus of charges of forgery, and concludes, convincingly, that he is only guilty of "simple, but not quite blameless, incompetence" (216). Still, prosopographers, beware!

(ca. 126), *de Iudaeis.* Again, the precise date continues to be debated: see Canali De Rossi (see the previous entry), 561–63, no. 612.

112, *de scaenicis Graecis.* Sherk 1969, 86–92, no. 15.

+ 81, *de Stratonicensibus.* In the text available to Taylor and Sherk (1969, 105–11, no. 19), the list of witnesses was extremely fragmentary and yielded no tribal registrations; this was still true of the new edition by M. Şahin (*Die Inschriften von Stratonikeia,* vol. 2.1 [= *IK* 22.1], no. 505 [Bonn, 1982], 4–9), but then a fragment was found providing the missing middle section of lines 15–27: see M. Şahin, *EA* 34 (2002): 3–4, no. 2; M. Şahin, *The Inscriptions of Stratonikeia,* vol. 3 (= *IK* 68), no. 505 (Bonn, 2010), 85–86; *AE* 2002 [2005], 1423; *SEG* 52.1059. The new fragment contains one complete entry (name and tribe) and, for two other witnesses, gives either the last or two last letters of the tribal registration. It adds to Taylor's list the *gentes* Fannia, Fundania, and Volcia (Vulcia).

80, *de Thasiis.* Sherk 1969, 115–18, no. 20. In lines 5–6, the text has been brilliantly restored by Taylor (268–69), to yield the name (Scribonius), and by E. Badian (*Athenaeum* 40 [1962]: 356–59), to yield the tribe (Pomptina); this is not reported accurately by Sherk (cf. below, *SC* 51).

78, *de Asclepiade.* Sherk 1969, 124–32, no. 22; 1984, 81–83, no. 66. This is now superseded by A. Raggi, "Senatus consultum de Asclepiade Clazomenio sociisque," *ZPE* 135 (2001): 73–116.

73, *de Oropiis.* Sherk 1969, 133–38, no. 23; 1984, 85–87, no. 70. See below, *consilium* 73.

51, *de provinciis consularibus.* Cic. *Fam.* 8.8.5–6. There are two decrees with identical lists of eight witnesses. Both documents are marred by a hereditary editorial error, ingeniously corrected by E. Badian (*Athenaeum* 40 [1962]: 358): a careful consideration of the manuscript tradition shows that the tribe of C. Scribonius Curio must be read not as *Pop(lilia)* (Taylor [252] quite aberrantly gives his tribe as *Pup(inia)*) but as *Pom(ptina)*, a reading justly endorsed by D. R. Shackleton Bailey and introduced into his edition (*Cicero, Epistulae ad Familiares,* vol. 1 [Cambridge, 1977], 164–65, no. 84); see also his comment at 402 (I present a full exposition below, p. 391).

44, *de Iudaeis.* Pucci Ben Zeev 1998, 121–36, no. 8 (Jos. *Ant. Iud.* 14.219–22). Pucci Ben Zeev's detailed legal and prosopographical commentary should be consulted for all entries in Taylor's list deriving from this text, which is often very corrupt.

39, *de Panamara.* Sherk 1969, 158–62, no. 27. See the text also in M. Şahin, *Die Inschriften von Stratonikeia,* vol. 1, *Panamara* (= *IK* 21), no. 11 (Bonn, 1981), 13–14. For corrections (or propositions) concerning names and tribes, see E. Badian, *AJP* 101 (1980): 476–77; *Historia* 12 (1963): 137. See also *SEG* 30.1273.

+ 39, *de Aphrodisiensibus.* All earlier editions and discussions (including Sherk 1969, 170–71, no. 29) have been superseded by the new epigraphical finds meticulously edited and elaborated by J. Reynolds (*Aphrodisias and Rome* [London, 1982], 54–92, no. 8). Taylor assigned the document to 35, but the date of the decree is now established as 39. The fragment available to Taylor and Sherk contained the names or remnants of the names of nine witnesses but had only two full names with tribal registrations. The new text offers at least twenty complete or fragmentary names, with the tribal affiliation extant for thirteen (or possibly fourteen) of them. The text, translation, and additional bibliography (but not Reynolds's commentary) is now available as *IAph.* 8.27 in the new online edition of the volume by J. Reynolds, C. Rouché, and G. Bodard (http://insaph.kcl.ac.uk/iaph2007). For prosopographical matters, see esp. E. Badian, *ZPE* 55 (1984): 101–11.

25, *de Mytilenaeis.* Sherk 1969, 146–57, no. 26; 1984, 103–4, no. 83 (Caesar's letter); 118–20, no. 97 (decrees of the senate). Forni, *Tribules* 1.5, Rep. no. 15 (and passim) has 45 as the date; this is erroneous: ca. 46 or 45 is the date of Caesar's letter (col. b, lines 6–36); the date of the two *senatus consulta* is 25 (Sherk 1969, 154–55).

II. *Consilia* of Magistrates in Rome (170–76)

Taylor listed two *consilia* (no new texts have since accrued).

(129? 101?), *S.C.* and *Consilium de agro Pergameno* (170–75). Sherk 1969, 63–73, no. 12; 1984, 47–48, no. 45. The document has been pieced together from several fragments, found in Adramyttion in 1870 (copy A) and

in Smyrna in 1932 (copy B a–d). For the copy from Smyrna, see also G. Petzl, *Die Inschriften von Smyrna* vol. 2.1 (= *IK* 24.1 [1987]), 51–64, no. 589; for the whole text, see now G. Di Stefano, "Una nuova edizione del *Senatus consultum de agro Pergameno,*" *RAL,* ser. 9a, 9 (1998): 707–48. This edition includes two fragments from Ephesos, published by H. Engelmann, D. Knibbe, and R. Merkelbach (*Inschriften von Ephesos,* vol. 3 [= *IK* 13 (1980)], 287, no. 975 A–B) and recognized by G. Petzl (*EA* 6 [1985]: 70–71) as belonging to a copy of the *S. C. de agro Pergameno;* they correspond to parts of lines 27–37 in the edition of Sherk. The date is disputed.

On the basis of the Adramyttion fragment and solely on the prosographical grounds, earlier scholars dated the document to a period from 120 to even as low as 94; in particular, C. Cichorius (*Untersuchungen zu Lucilius* [Berlin, 1908], 2–7) argued for a date ca. ("etwa") 110 (not precisely 110 as reported by Di Stefano [708 n. 3]). A new era ensued with the contribution of A. Passerini ("Le iscrizioni dell'agorà di Smirna concernenti la lite tra Publicani e Pergameni," *Athenaeum,* n.s. 15 [= 25] [1937]: 252–83): he assigned the document exactly to 129, a date Taylor embraced enthusiastically and rather hastily (171). It was also accepted by a number of other scholars, including (albeit cautiously) Broughton (*MRR* 1.496 n. 1) and Sherk (1969, 71–72). Unfortunately, as N. Mathieu acidly observes (*Histoire d'un nom: Les Aufidii dans la vie politique, économique et sociale du monde romain* [Rennes, 1999], 122), this hypothetical date transmorphed into chronological certitude from which one would proceed to identify the members of the *consilium.* But the date is not certain. It hinges on the interpretation of lines 9 and 17.

In line 17, we have the name of a consul]υλλιος ὕπατος, certainly Αϰ]ύλλιος, that is, Aq]uillius. In the required time span, there were only two consuls of that name, M'. Aquillius in 129 and another M'. Aquillius in 101. The consul in question was clearly in office at the time of the decree, for the senate instructs him to take an action (to see to it that lodgings are provided for the envoys from Pergamon) "if it seems best to him" (ἐὰν αὐτῷ φαίνηται). The beginning of line 9 is broken off, and we read only]νιος ὕπατοι. Both consuls are obviously present at Rome, for they are instructed to decide a matter ἀνὰ μέ[σ]ον αὐ[τῶν], "between themselves," as translated by Sherk (1984, 47). Passerini (1937, 260–61) argued that lines 9 and 17 refer to the same consular year, a year in which one consul was an Aquilius and the name of the other ended in]*nius.* On this premise, the only available pair is M.' Aquilius and C. Sempronius, the consuls of 129. But this line of reasoning has been powerfully challenged, in particular by H. B. Mattingly (*AJP* 93 [1972]: 412–23) and F. De Martino (*PP* 38 [1983]: 161–90). We deal with two separate consular dates: the Aquilius in line 9 is the consul of 101; consequently, the list of names in the *consilium* also belongs to this year. The debate is well summarized by Petzl (1987, 58–60) and Di Stefano (1998, 733–40; cf. also 707–8 nn. 2–4). Petzl hesitates: 101 is perhaps more likely. Di Stefano firmly embraces this date, which appears to have become

a new orthodoxy (see esp. Brennan 2000, 1:233, 348 n. 80). But there are many loose ends still unresolved; caution may be preferred, according to the old master, always to be heard: "I am still inclined to think that the consuls mentioned in lines 9 and 17 could have been colleagues in the same year, but must agree that a date such as 101 is quite possible" (Broughton, *MRR* 3.24).

The prosopographical conclusion is that with respect to all persons mentioned in this epigraphical document (cf. 171–73), the identifications Taylor proposes in her list of "senators with tribes" are to be taken with a great deal of skepticism. In view of this incertitude, it might be reasonable to propose two sets of tentative identifications, one assuming 129 as the date of the document and the other accepting 101 as its date. This confusion has profound implications not just for the list of tribal registrations but for the republican history in general, with scores of historical and prosopographical contributions now dwelling in a chronological limbo. The sifting of the material and of the prosopographical fallout cannot be undertaken in this place; users of Taylor's list must consult also prosopographical comments offered by Petzl (*Inschriften* 1987, 61–64), Di Stefano (1998, 741–48), and Brennan (2000, 2:671–73).

There is still another issue of potential prosopographical controversy. The names of the witnesses to the decree are not preserved; what we have are the names (or fragments of names and tribes) of fifty-five members of a *consilium,* convened by a consul or a praetor. It has often been assumed, most notably by Taylor (175) and Broughton (in *MRR* passim) that all of them were senators, but weighty voices of dissent or caution—from Mommsen to Passerini, Syme, Badian, and Gabba—cannot be easily dismissed: the names toward the bottom of the list may have well belonged to equestrians (cf. Sherk 1969, 72–73, with further references; E. Gabba, *Republican Rome, the Army, and the Allies* [Berkeley, 1976], 225–26 n. 77).

73, *consilium* connected with the *SC de Oropiis* (176). Sherk 1969, 133–38, no. 23. That all members of the panel were senators is established by the appearance of T. Maenius T. f. Lem. (no. 14 on the list) among the witnesses to the senatorial decree (though, strictly speaking, this assures the senatorial status only of Maenius and the *consiliarii* preceding him; the last man on the list, L. Claudius L. f. Lem., could conceivably be an *eques,* but this is patently more than unlikely).

III. *Consilia* of Magistrates in the Field (176–78)

These boards pose problems of status. They were comprised of senators and nonsenators, and although the lists were generally arranged according to the rank and seniority, it is not easy to draw a dividing line. Many of the young men appearing on these advisory boards belonged to aristocratic families, and it is reasonable to expect that they gained magistracies and were admitted into the senate in due course and that their tribal registra-

tion would thus attest the tribe of the *gens.* Others, members of obscure families, may or may not have reached the senate. Taylor, as a rule, opted to leave them out. Two documents listing three *consilia* were available to Taylor (no new texts have since accrued).

89, *consilium* of the consul of 89, Cn. Pompeius Strabo. The defining study of this *consilium* still remains the brilliant (Taylor's assessment) analysis of C. Cichorius (*Römische Studien* [Stuttgart, 1922], 130–85). Taylor has "tentatively accepted most of his identifications." We have now a comprehensive investigation by N. Criniti (*L'epigrafe di Asculum di Gn. Pompeo Strabone* [Milan, 1970]; a *Mantissa,* a supplement of sixteen pages, appeared as a separate publication in 1987), including a critical edition and an extensive epigraphical, historical, and prosopographical commentary. It has not brought substantial changes or rectifications to the findings of Cichorius or Taylor but is still worth consulting for every name included or excluded by Taylor. See also H. Mattingly, *Athenaeum* 63 [= n.s. 53] (1975): 262–66.

49, two *consilia* of the consul of 49, L. Lentulus Crus, preserved in Jos. *Ant. Iud.* 14.228–29 and 237–40. These are probably two versions, shorter and longer, of the same document. See now Pucci Ben Zeev 1998, 151–62, no. 10, and 186–91, no. 16, a good summary of previous research. Students of prosopography will do well to consult two detailed articles: J. Suolahti, "The Council of L. Lentulus Cornelius P. f. Crus in the Year 49 B.C.," *Arctos* 2 (1958): 152–63; G. Forni, "Intorno al Consilium di L. Cornelio Lentulo console nel 49 a. C." (originally published in 1982), in *Scripta* 2006, 335–44.

IV. Inscriptions of Individual Senators with Tribes (178)

As Taylor observes, these inscriptions fall into two main classes: inscriptions on coins and inscriptions on stones. The former all belong to the *monetales,* the moneyers, who occasionally would record their tribes for purposes of a more precise identification. The office of the *tresviri monetales* was a junior post; most of these men, but certainly not all of them, would ultimately enter the senate. Taylor is occasionally too positive about admitting them to the senate (see below). For each entry in Taylor's list that relies on a coin inscription, the corresponding entry in Crawford 1974, is now to be consulted; unfortunately, neither Taylor nor Crawford provides a separate list of moneyers indicating their tribes. The inscriptions on stone often pose a problem of identification: we have to decide whether the person in question was a senator or at least belonged to a senatorial family. Most inscriptions positively indicating senators and giving their tribes date from the imperial period. They offer another puzzle: can we trace the tribal registration of an imperial senatorial family back to the republican period? In Taylor's list, these two categories of stones are a rich source of names with query marks.

V. The Place of Origin as Evidence for the Tribe (178–83)

Here is a field of thorns and an excellent illustration of Taylor's spirited approach to research: be bold and cautious. Nomina and cognomina derived from places for which we know the tribal assignation can be "useful," as Taylor enticingly calls it; but as her examples amply illustrate, these are mere inferences of greater or lesser probability (cf. Badian 1962, 209, a trenchant critique). She would place greater faith in the symbols put by the moneyers on coins, which may lead to their place of origin. This is indeed often the case. But again, as with all inferences, disagreements abound. P. Accoleius Lariscolus, the person who opens her list of senators with tribes (185), is described as originating from Aricia, and "hence" his tribe was Horatia. His Arician origin is an inference based on the representation of a threefold Hecate-Diana that appears on the coins struck by this moneyer, and this type "is evidently to be associated with Diana in the grove of Aricia." All this is eminently possible, even likely, and has enjoyed wide acceptance. Still, this is not what one would be inclined to call "a fact." I note a (mild) voice of dissent: Wiseman (1971, 209) hesitates between Aricia and Lanuvium, and if it is Lanuvium, the tribe of Accoleius would, on this reasoning, be Maecia.

VI. Treaties

To the preceding five categories, we have to add the treaties (*foedera*) concluded by Rome with other states. They were sworn by the representatives of both parties to the treaty. Unfortunately, of the numerous Roman treaties, only a few documents, often very fragmentary, are preserved (see the list in Mitchell 2005, 173–74), and the names of Roman representatives who performed the ceremony are extant in only two of them.

+ *The treaty with Lycia,* **46.** Mitchell 2005, 164–256 (167–69 for the text of the treaty). There are two new *gentes* with tribes: Billiena and Fabricia.

+ *The treaty with Cnidus,* **45? 30/29?** (strangely omitted by Taylor). See E. Täubler, *Imperium Romanum* (Berlin, 1913), 450–54; W. Blümel, *Die Inschriften von Knidos,* vol. 1 (= *IK* 41 [1992]), 33–34, no. 33. Täubler's date is 30 or 29, but K. Cichorius ("Ein Bündnisvertrag zwischen Rom und Knidos," *RhM* 76 [1927]: 327–29) argued for 45, a date generally accepted (cf. *MRR* 3.166), though it is vigorously challenged by J. Scheid (*Les Frères Arvales* [Paris, 1975], 40–50, esp. 43, 47–50 [missed by *MRR* 3 and Blümel]). The textual basis is as follows: the editor princeps (I. Matsas, "Ἐπιγραφαὶ Εὐβοίας," *Ἀθηνᾶ* 11 (1889): 265–300, at 283–89) restored the name of the second Roman representative (lines 4–5) as Γναῖος Πομπ[ήιος . . . . . / . . . . .]ουφος and recognized in him Cn. Pompeius, the consul suffectus in 31. This reading and identification was endorsed by Täubler, but almost simultaneously, A. Jardé ("Un traitè entre Cnide et Rome," in *Mélanges Cagnat* [Paris, 1912], 51–58) inspected the stone and read, in line 5, the four

last letters of the tribe:]λινα, the possible restorations being *Col]lina* or *Ve]lina.* Next, Cichorius (329) observed that the Pompei Rufi belonged to the Arnensis (cf. Taylor, 247), and divined a Cn. Pomponius Rufus, otherwise not attested. Scheid questions Jardé's reading, supplies (in the lacuna) the Arnensis of the Pompeii Rufi, duly assigns the entry to the consul suffectus of 31, and returns to the original dating of the treaty to 30/29. This interpretation receives powerful support from the *S.C. de Aprodisiensibus* (see above), where we have on record a Pompeius Q. f., Arnensi (tribu), most likely the consul suffectus in 31.

Chapter 13 (pp. 185–269). On the basis of so many multifarious sources, Taylor has produced a marvel of prosopographical assiduity and ingenuity, a list of 215 senatorial (or likely senatorial) families with tribes, comprising 332 individual entries. As Badian (1962, 200) observed, this was the first effort to provide senators systematically with tribes, and scholars (himself included) "must blush for our neglect of obvious evidence."

Before we proceed further, it is important to reflect on the arrangement and character of Taylor's list. The entries are organized alphabetically, according to the family names. Under each *gens,* we have (if needed) a three-tier classification: first, the individuals without *cognomina* (listed in the order of their *praenomina*); next, the individuals with *cognomina;* and lastly, men with the same *cognomen,* adduced according to their first names.

This is a reasoned list of a scholar, not a raw collection of primary evidence. We need both, and this work is still to be done. It is important to realize clearly how a person gets on Taylor's list. One path is straightforward: through a document, or a mention in a literary text, in which a person appears with the indication of his tribe. Here, the path splits. The tribe is certain, but the status of the individual need not be. The problem is now how to establish that the man in question was indeed a senator (or achieved this distinction in the course of his life). In many cases, this information springs automatically either from the authors or documents; for instance, all witnesses to the *senatus consulta* were perforce senators. But various boards (*consilia*) that assisted the magistrates comprised nonsenators also; whether or where to draw a dividing line is always a delicate choice. Another path is less straightforward but tempting. When we have a senator—who, as every Roman, belonged to a tribe—can we conjecture his registration? There is a way: to divine the tribe from names, surnames, familial relations, imperial inscriptions, and places of origin. But it is a way fraught with surmises and uncertainty (cf. above, section V).

It will be instructive to dissect Taylor's list further. She distinguished two main categories of entrants. A black dot before the name "indicates that the man was surely a senator or belonged to a senatorial family, and that the tribe is established either in the sources or by the fact that he came from a town of known tribe which already had citizenship when the

family entered the senate." The other group dwells in a limbo: a query before the name "indicates that it is doubtful whether the man or his ancestors or his republican descendants were in the senate" (185). As far as the source basis is concerned, these are two very disparate categories, and it was rather an unfortunate idea to scramble them up together in one alphabetical list. There is still a third group of names (not advertised by Taylor in the introductory paragraph): names without any mark, abiding in a quantum land between a dot and a query, neither certain nor doubtful. I leave aside persons queried and unmarked; they require a detailed, extensive, and separate treatment, and the users of the list are admonished by Taylor herself to exercise appropriate caution and judgment. But it is imperative to observe that the persons distinguished by a black dot do not form a unified group. Most men in this group were indeed either actual or prospective senators, but surprisingly (and defying the definition of the dot), this is not certain at all for some entrants. Nor is the tribal ascription always certain. The first person on the list, P. Accoleius Lariscolus, is distinguished by a black dot but is attested only as a *monetalis,* a post that did not provide automatic entry into the senate. We do not know whether he had ever reached the quaestorship and become a senator, and his tribal registration is not a matter of record but conjecture. His emblem of a dot would appear overly generous.

This is not the place to comb the list, name by name. Immediately after the publication of Taylor's book, scholars started offering additions, corrections, and modifications, while simultaneously praising Taylor's effort. As things stand now, more than fifty years since, serious users of Taylor's prosopographical pages ought to consult a plethora of publications, often not of easy access. There should be at hand Badian 1963; Syme 1964; Wiseman 1964 and 1971; Sherk 1969; Torelli 1969; Harris 1971; Crawford 1974; Gruen 1974; Nicolet 1980; Broughton 1986 *MRR* 3; Brennan 2000; Settipani 2000; Panciera 2006; Santangelo 2006; Forni, *Tribules; Scripta* 2006; various articles in *Epigrafia e ordine senatorio* (1982); and a good number of items adduced in the preceding notes to chapters 11 and 12. It would be advisable to consult the post-Taylor volumes of *Realencyclopaedie* (though the prosopographical articles are of very uneven quality), the volumes of *Prosopographia Imperii Romani,* and the indexes to all seven volumes of Syme 1979–91). But if I were to single out one most useful publication, it would be Forni's *Tribules,* with its amazing bibliography and a jewel of a list, comprising 638 Romans of the republic (and some of the Augustan period) for whom the tribal registration is positively attested. It is largely a concise list, with minimal but informative annotations; and it sports several laudable features. The names and the tribes are always given in their original Latin or Greek spelling, exactly as they stand in an inscription or an author. Each entry contains full references to the sources, most notably including various successive editions of the inscription(s) in

question. The footnotes supply the reader with references to modern discussions, occasionally with a brief comment. Unfortunately, there are no *RE* numbers.[52]

It has never been entirely clear why Taylor limited her collection only to senators or putative senators. After all, her book deals with voting districts, and not only the senators voted. I suspect that she had before her eyes a surprising omission in a grand opus of her Bryn Mawr friend and colleague, the lack of tribal indications in T. R. S. Broughton's *The Magistrates of the Roman Republic,* and that she set out to rectify that neglect. Forni, in comparison, included Romans of all stripes and classes. Taylor mentions Forni with great appreciation in her preface (IX–X), and she certainly would have been enthralled by his magnificent volumes. But his republican list is itself now almost a quarter of a century old, and a thought immediately occurs: it will be a worthy enterprise to combine Taylor and Forni and bring their endeavors up to date, with full prosopographical elucidation.

Chapter 14 (pp. 270–76). This chapter provides for each tribe two informative lists: of senators and of communities. We have before our eyes not only *Italia tributim discripta* but also *familiae senatoriae tributim discriptae.* Listed are not individual senators but only *gentes,* probably not a wise decision. The senatorial list is in need of expansion and refurbishment, but this task can be accomplished only after Taylor's prosopographical corpus has been revised. The list of the communities can, with some effort, be amended and amplified, with the help of addenda and corrections presented in the preceding comments on chapter 11. On the two maps that very appropriately close this book, there are entered all cities with known tribal registration and a few with tribes not yet assigned in Taylor's time, as well as rivers and roads. The legal status of various areas (the *ager Romanus,* the territory of Latin colonies, and territory that belonged to allied peoples before 90) is clearly differentiated. A few indications are out of date, and a few additional ones may be supplied; but above all, the mapping technology has vastly advanced since 1935, the date of an Italian map that served as the basis for the map in Taylor's book. To get a better idea of the distribution of tribes as the voting districts and of their likely confines, we need on the map not only towns, rivers, and roads—all of them—but also mountains and mountain passes, always looming in most of Italy and a clear demarcation of various ethnic areas. It would be revealing to plot on the map the distances the voters had to cover from the various points of the peninsula on their trips to the voting urns at Rome. In a word, we desire an illustration of the whole

[52] Cf. G. Mennella, "Giovanni Forni studioso delle tribù romane: Il progetto di 'rifare il Kubitschek,'" in *Tribù* 2010, 355–58.

physical environment of the voter. There is a solution, a challenge for the future: to combine the wealth of the data assembled by Taylor, supplemented by new finds and insights, with the geographical richness of the *Barrington Atlas*.[53]

Chapters 15 (pp. 277–94) and 16 (pp. 297–315). These chapters look from a topographical, historical, and political angle at the ample material assembled in chapters 11, 13, and 14. From the lists of tribal registrations, several points of historical and social interest emerge. Very striking is the uneven distribution of the senatorial *gentes* throughout the tribes (277–80). The mosaic is certainly somewhat distorted. Some distortion may have been introduced, Taylor notes, by the chancy character of our epigraphical evidence and the habits of classical authors who understandably concentrated on great men and important cities, hence the preponderance in our record of Papiria, the tribe of the Porcii and of Tusculum. A cautious perusal of imperial inscriptions and authors may add (or rearrange) a few pebbles in this mosaic of names and places; and it may prove worthy of effort to compare the tribal registrations of the senators and equestrians in republican and imperial Italy with the evidence for the upper-class landholding in Italy, their *fundi* and *praedia*.[54] The fact remains that some rural tribes were large, some small. In some, many senators and equestrians were registered; in others, few. Were there any attempts to correct those inequalities? None can be positively established. Taylor (292–94) surmised that Sulla made an attempt, in the context of his enlargement of the senate, at a more equitable distribution of the senators throughout the tribes. Appian reports (*B. C.* 1.100) that Sulla added to the senate about three hundred members from the equestrian order, "having given the tribes the right to vote on each of them." Taylor (292) accepts Gabba's understanding of Appian's passage, and concludes that "each tribe made elections from its own [equestrian] members." This may have been so, although Appian's text is obscure enough, and his words easily admit of other interpretations (and let us remember that Roman public law was not his strong suit). But even on the Gabba-Taylor theory, the correction would be minimal and

[53] Readers of Taylor will vastly profit by having at hand the *Barrington Atlas,* maps 16 and 39–46. Also very useful is R. J. A. Talbert, ed., *Map-By-Map Directory* (Princeton, 2000), 236–43, 573–708. Each chapter contains a list of place-names and enumeration of aqueducts, bridges, roads, and areas of centuriation, all with references to modern studies, rounded off with essential bibliography. It was not the goal of the *Atlas* or the *Directory* to offer information on the tribes.

[54] One might start with I. Shatzman's *Senatorial Wealth and Roman Politics* (Brussels, 1975), proceed to the recent treasure trove in A. M. Andermahr's *Totus in praediis: Senatorischer Grundbesitz in Italien in der frühen und hohen Kaiserzeit* (Bonn, 1998), and continue with several instructive articles discussing *Les patrimoines sénatoriaux* in *CGG* 16 (2005): 57–164.

will have soon been obliterated by the flood of former quaestors entering the senate.[55]

Taylor devoted several pages (280–87) to the significant social and administrative phenomenon of change of tribe; in recent years and on the basis of much more extensive material, it has received further elucidation from a series of excellent investigations.[56] A comprehensive study is a desideratum. Interestingly, Taylor placed substantial emphasis on the change of tribe as a result of a successful prosecution. But only one case is certain, that of L. Cornelius Balbus, who probably was originally inscribed in an urban tribe and subsequently moved to the tribe Clustumina as a reward for a victorious prosecution in the court *de ambitu* (Cic. *Balb.* 57). The transfer from an urban tribe to a more prestigious rural district would make social sense, but it is not obvious what advantage would accrue to a prosecutor who would opt for exchanging his own rural tribe for the rural tribe of his victim, especially in view of Cicero's intimations that such an award might excite *invidia*.

Taylor's quest to find another similar case has an instructive epigraphical, textual, and prosopographical footnote. She suggests that "the younger Curio was in a different tribe from that of his father, and that the tribe may have been acquired by a successful prosecution" (280). In the *S. C. de Thasiis* (of 80; Sherk 1969, 115–18), Taylor perspicaciously uncovered, in the partially damaged lines (5–6), the name and the surname of C. Scribonius Curio, consul in 76, but she hesitated as to the tribe, adducing as the possibilities Teretina, Oufentina, and Pomptina. She cautiously entered this finding under the heading "Uncertain Tribe and Name" (268–69). The reason for her circumspection was that she had previously (252) listed the son of the consul, tribunus plebis suffectus in 50, as "C. Scribonius C. f. Curio, *Pup.*" and had marked this as certain. She was thus bothered by the different tribal registration of the father and the son and was not able to explain this circumstance satisfactorily. The puzzle has been brilliantly unraveled by E. Badian.[57] Taylor's trust in the Pupinia as the tribe of the younger Curio was misplaced; the manuscripts of Cic. *Fam.* 8.8.5–6 (a letter of M. Caelius Rufus recording two decrees of the senate) have *Pop.*

[55] On Sulla's reform of the senate, see now Santangelo 2006. From his prosopographical lists, no pattern emerges of new senators' tribal registration.

[56] G. Forni, " 'Doppia tribù' di cittadini e cambiamenti di tribù romane," in *Tetraonyma: Miscellanea greco-romana* (Genoa, 1966), 139–55 = *Scripta* 2006, 71–85; F. Galli, "Cambi di tribù 'per domicilii translationem' nelle regioni augustee VI, VII e VIII," *QUCC* 18 (1974): 133–48; G. Di Matteo, "Cambi di tribù *per domicilii translationem* nella *Regio IV* augustea," *QUCC* 55 (1997): 111–17. For a later period and a province, see also A. Beschaouch, "Sur la mention d'une double tribu pour deux citoyens romains d'Ucubi et de Thignica en Afrique proconsulaire," *CRAI* 152 (2008): 1285–1303.

[57] E. Badian, "The Tribe of the Curiones," *Athenaeum* 40 (1962): 356–59. Cf. Forni, *Tribules* 1.66, Rep. nos. 452, 453; *MRR* 3.186.

in one place and *Pom.*in the other, with the editors generally opting in both places for *Pop.* (i.e., Poplilia/Poblilia). *Pup(inia)* is Taylor's (rare) lapse and error. If we put together the stone and the letter of Caelius, the solution emerges: the tribe of the Scribonii Curiones was the Pomptina. The reading *Pom.* should figure in the text in both places in Cicero (Shackleton Bailey endorsed Badian's idea), and the epigraphical text will now read: Γά[ιος Σκριβώνιος Γαίου υίος / Πωμ]ετίνας Κουρί[ων].

The tribes of adopted sons (280–82) are another contentious issue. For the time being, we can do no better than to point again to Badian's incisive remarks (1962, 209–10), particularly to his insistence that adopted sons would retain their native tribe in republican times.[58]

The tribes of patricians (282–86) are the subject of a major disagreement and are most consequential for an understanding of early Roman history. Taylor intuitively expected and attempted to prove that the patrician clans originally dwelled in the territory of the tribe named after them. Badian (1962, 210) vehemently objected that Taylor's belief was based "on no evidence whatsoever." This is harsh and undeserved. Indeed, if we put trust in our annalistic and antiquarian sources, Taylor's theory holds for the Claudii, probably for the Fabii and Veturii, and perhaps for the Horatii and Sergii. But Taylor could not fail to observe that the patricians were dispersed throughout a plethora of different tribes in later times and that there is no record of a Claudius in the *Claudia.* This peculiar lacuna may be due to the vagaries of our evidence, but the fact remains that there was a wholesale migration of the aristocratic clans, patrician and plebeian, from the old *ager Romanus* and the old tribes to the newer tribal districts organized on the annexed territories. This is a story of an immense landgrab, with plots accruing to commoners too but with estates, wealth, and influence going to aristocrats.[59] Taylor's chapter of conclusions (297–315)

[58] Cf. D. R. Shackleton Bailey, *Two Studies in Roman Nomenclature* (Atlanta, 1991), 57; C. Kunst, *Römische Adoption* (Hennef, 2005), 171–73; H. Lindsay, *Adoption in the Roman World* (Cambridge, 2009), 101. However, the precise scope of Scipio Aemilianus's complaint in his speech *De moribus,* which he delivered as censor, remains quite obscure (Gell. 5.19.15). According to Mommsen, *RSt* 2.1.338 (disregarded by Taylor and all scholars adduced above), the phrase "in alia tribu patrem, in alia filium suffragium ferre" does not refer specifically to adoptive sons but generally to misguided censorial registrations. On Roman adoption, see also O. Salomies, *Adoptive and Polyonymous Nomenclature in the Roman Empire* (Helsinki, 1992), esp. 1–15, 83–89; Linderski 2007, 2:133–40.

[59] This is a development well known from other epochs and societies, with England after the Norman conquest a stellar example. The evidence is abundant. It is instructive to read side by side A. Williams, *The World before Domesday: The English Aristocracy, 900–1066* (London, 2008); J. Green, *The Aristocracy of Norman England* (Cambridge, 1997); and K. S. B. Keats-Rohan, *Domesday People: A Prosopography of Persons Occurring in English Documents, 1066–1166,* vol. 1, *Domesday Book,* vol. 2, *Domesday Descendants* (Woodbridge, 1999–2002).

and many pages in her opus quietly and logically delineate that aspect of the momentous transformation of the small and closely knit archaic Rome into the political, social, and economic overlord of a sprawling multiethnic peninsula. Not only was Italy remade, but so was the ruling class of Rome. It became a hybrid, co-opting numerous clans of local notables. In Taylor's book, we behold, through the lens of electoral districts, true melting pots of old and new Romans, the creation of that refurbished Italy, very much Roman, but also imbued with local allegiances and local pride.

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